

provement Association, all of San Francisco, Cal., favoring House bill 5139, the Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

Also, petition of San Francisco Camp, No. 4, National Indian War Veterans, favoring the passage of House bill 15402, Keating bill, to place Indian war veterans who served from 1865 to 1891 on the regular Indian war veteran pension roll of earlier date; to the Committee on Pensions.

Also, petitions of George F. Muench, Dietrich Krause, E. J. Weaver, A. C. Schmidt, and Johanne Kruse, of El Monte; George Hess, Charles H. Guenther, C. F. Guenther, and William H. Guenther, of Pasadena, Cal., favoring the adoption of House joint resolution 377, to prohibit the shipment of munitions of war to the belligerent countries of Europe; to the Committee on Foreign Affairs.

By Mr. BRITTEN: Papers to accompany bill for pension to Sallie E. Gilkeson; to the Committee on Invalid Pensions.

By Mr. BURKE of Wisconsin: Petitions signed by John Rogies, William Behling, jr., and 76 other citizens of the city of Watertown, Wis., asking for the passage of Senate bill 6688, or any similar measure, to levy an embargo on all contraband of war, save foodstuffs only; to the Committee on Foreign Affairs.

By Mr. CRAMTON: Petitions of John Graf and 48 others, of Unionville; G. F. Wacker and 133 others, of Pigeon; Henry Gebhardt, of Minden City; F. P. Gerlach and 29 others, of Macomb County; Adolf Matthes, of Sebawaing; Charles Pagel and John Pagel, of Sandusky; and William F. Junke, of Goodrich, all in the State of Michigan, in support of House joint resolution 377, proposing to prohibit exportation of arms, etc.; to the Committee on Foreign Affairs.

By Mr. DALE: Petition of Gas Engine & Power Co. and Charles L. Seabury & Co., protesting against the passage of the Alexander bill (H. R. 18686); to the Committee on the Merchant Marine and Fisheries.

By Mr. DANFORTH: Petition of Mr. Fr. Bruckmaier and 25 others, of Attica and Batavia, N. Y., protesting against violations of the spirit of neutrality in connection with the war in Europe; to the Committee on Foreign Affairs.

Also, petition of Knights of St. Theodore, Rochester, N. Y., against export of arms to Europe; to the Committee on Foreign Affairs.

By Mr. DILLON: Petition of citizens of Hutchinson County, S. Dak., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. DIXON: Petition of 140 business men of fourth congressional district of Indiana, favoring House bill 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. DONOHUE: Memorial of Manufacturers' Club of Philadelphia, relative to amendment to the present tariff laws; to the Committee on Ways and Means.

By Mr. ESCH: Memorial of Evangelical Lutherans of St. Peters congregation, Dorchester, Wis., and George A. Walz and 245 other citizens of Norwalk, Wis., urging legislation to prohibit the exportation of war materials from the United States; to the Committee on Foreign Affairs.

By Mr. GILMORE: Petition of civilian clerks of the Quartermaster Corps, favoring the passage of Senate bill 6882; to the Committee on Military Affairs.

Also, memorial of Boston (Mass.) Marine Society, protesting against the passage of House bill 18686; to the Committee on the Merchant Marine and Fisheries.

By Mr. GRAHAM of Pennsylvania: Petition of the Pennsylvania Arbitration and Peace Society, relative to strict neutrality by the United States; to the Committee on Foreign Affairs.

By Mr. GREENE of Vermont: Memorial of Bennington (Vt.) Board of Trade, urging passage of House bill 19434, for the improvement of the Narrows of Lake Champlain; to the Committee on Rivers and Harbors.

By Mr. KONOP: Petition of citizens of Appleton, Wis., and of the ninth congressional district of Wisconsin favoring House joint resolution 377, to forbid shipment of arms to Europe; to the Committee on Foreign Affairs.

By Mr. LIEB: Petitions of W. Ed Mathis, Joseph Schaefer, John F. Land, John F. Baker, A. H. Kattman, John P. Miedreich, Clarence F. Whiting, Carl P. Grimmeissen, C. A. Lefler, Albert F. Horn, John H. Borgman, John Hudson, Philip A. Hoelscher, E. J. Miller, Edward M. Schaefer, A. C. Richardt, William E. Wilson, Louis H. Moser, John F. Richardt, John A. Schaefer, Carl Lauenstein, George J. Stockmeyer, Peter Hass, Oscar E. Rahm, Harry C. Dodson, W. E. Willis, William P. Miedreich, Sidney Craig, Charles F. Forster, A. L. Rose, Henry Bernhardt, all of Evansville, Ind., and L. T. Freeland, of Princeton, Ind., favoring Hamill bill for retirement of aged and infirm Government employees; to the Committee on Reform in the Civil Service.

Also, petitions of Charles H. Bohrer and George Kuntzman, of Boonville; Anton G. Jochim, of Mariah Hill; Rev. C. G. Kettelhut, of Mount Vernon; and the St. Joseph's Society, by George Bischof, president, and Engelbert Schnellenberger, secretary, of St. Meinrad, all in the State of Indiana, in favor of legislation to prohibit the shipment from the United States of munitions of war to a belligerent nation; to the Committee on Foreign Affairs.

By Mr. LINDBERGH: Petition of citizens of Paynesville, Minn., protesting against the shipment of arms to the warring nations; to the Committee on Foreign Affairs.

Also, petition of citizens of Bertha, Minn., protesting against shipment of arms to warring nations; to the Committee on Foreign Affairs.

Also, petitions of citizens of Cass Lake, Clear Water, South Haven, Elrosa, and Pierz, Minn., protesting against the shipment of arms and munitions of war to warring nations; to the Committee on Foreign Affairs.

By Mr. MAGUIRE of Nebraska: Petition of 57 citizens of Lincoln, Nebr., favoring passage of House joint resolution 377, relative to export of war material by the United States; to the Committee on Foreign Affairs.

By Mr. MAPES: Petitions of citizens of Grand Rapids, Mich., favoring the passage of House joint resolution 377, relative to shipment of war material by the United States; to the Committee on Foreign Affairs.

By Mr. J. I. NOLAN: Resolutions of the Petaluma Central Labor Council, of Petaluma, Cal., favoring the passage of H. R. 5139, to provide for the retirement of superannuated civil-service employees; to the Committee on Reform in the Civil Service.

Also, resolutions of three fraternal organizations in the city of San Francisco, Cal., comprising a membership of 450 citizens, favoring the passage of H. R. 5139, to provide for the retirement of superannuated civil-service employees; to the Committee on Reform in the Civil Service.

By Mr. REILLY of Wisconsin: Petition of Men's Bible Class of Oshkosh, Wis., 900 names, asking for the passage of H. R. 377, relative to shipment of war material; to the Committee on Foreign Affairs.

By Mr. SINNOTT: Petition of Baker County (Oreg.) Union of the Farmers' Educational and Cooperative Union of America, favoring rural credit legislation; to the Committee on Agriculture.

By Mr. J. M. C. SMITH: Protest of Coldwater Council, No. 452, United Commercial Travelers, of Coldwater, Mich., against advancing passenger rates by railroads; to the Committee on Interstate and Foreign Commerce.

Also, petition of Adam Ehrman and 171 citizens of Kalamazoo, Mich., favoring S. 6688, to prohibit sale of arms and ammunition to belligerent nations; to the Committee on Foreign Affairs.

By Mr. SMITH of New York: Petition of Bethel Baptist Church, of Buffalo, and Federation of German Catholic Societies of Buffalo, N. Y., favoring passage of resolution to prevent shipment of war material to Europe; to the Committee on Foreign Affairs.

By Mr. VOLLMER: Petition of St. Boniface Society, of Lyons, Iowa, favoring passage of House joint resolution 377, prohibiting the export of war materials; to the Committee on Foreign Affairs.

SENATE.

SATURDAY, January 16, 1915.

(Legislative day of Friday, January 15, 1915.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

Mr. SMOOT. Mr. President, there are only half a dozen Senators in the Chamber. I therefore suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Hughes	O'Gorman	Smoot
Brady	James	Owen	Sterling
Bryan	Johnson	Page	Swanson
Burleigh	Jones	Perkins	Thomas
Barton	Kenyon	Ransdell	Thompson
Chamberlain	Kern	Robinson	Thornton
Clark, Wyo.	La Follette	Saulsbury	Vardaman
Culberson	Lane	Shafroth	Weeks
Dillingham	Lea, Tenn.	Sheppard	White
Fletcher	Lippitt	Shively	Works
Gallinger	Lodge	Simmons	
Hitchcock	McLean	Smith, Ga.	
Hollis	Nelson	Smith, Md.	

Mr. LANE. I wish to announce that the Senator from Minnesota [Mr. CLAPP] and the Senator from Arizona [Mr. ASHURST] are unavoidably detained on business of importance.

The VICE PRESIDENT. Forty-nine Senators have answered to the roll call. There is a quorum present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed a bill (H. R. 4899) to fix the standard barrel for fruits, vegetables, and other dry commodities, in which it requested the concurrence of the Senate.

ENROLLED BILL AND JOINT RESOLUTION SIGNED.

The message also announced that the Speaker of the House had signed the following enrolled bill and joint resolution, and they were thereupon signed by the Vice President:

H. R. 6060. An act to regulate the immigration of aliens to and the residence of aliens in the United States; and

H. J. Res. 234. Joint resolution directing the selection of a site for the erection of a statue in Washington, D. C., to the memory of the late Maj. Gen. George Gordon Meade.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

The VICE PRESIDENT. The pending question is one which has an aspect to it wholly disassociated from the question of the proposed amendment. It is a new question in the Senate of the United States. It may arise again. If there is no objection, the Chair would like to read into the Record, not for the purpose of controlling the conduct of Senators nor for the purpose of influencing the vote but as a matter of information, if the question should ever arise again and this Record is looked up, that Senators may have all the light and information on the subject, an excerpt from a new work on parliamentary law prepared by Thomas B. Neely, of the Methodist Episcopal Church. If there is no objection, the Chair would like to put it in simply as a matter of information for the future use of the Senate of the United States.

Mr. SMOOT. Would the Chair object to the Secretary reading it at this time?

The VICE PRESIDENT. The Chair is simply asking permission of the Senate to have what Mr. Neely says upon the question of the suspension of the rules put in the Record, not for the purpose of controlling this question but that if it arises in the future Senators may have the document at hand to discuss the question.

Mr. SIMMONS. Mr. President—

Mr. SMOOT. I should like to have the Secretary read it, if the Chair does not object.

The VICE PRESIDENT. The Chair wanted to read it, if there was no objection.

Mr. SIMMONS. I was just going to supplement the suggestion of the Senator from Utah by saying that it might well be read to us in the consideration of the particular matter now pending.

The VICE PRESIDENT. The Chair will read it. There has just been issued a work by Bishop Thomas B. Neely, of the Methodist Episcopal Church—

Mr. SIMMONS. I do not mean to suggest that the Chair read it, but that the Secretary read it. Of course the Chair can read it, if he likes.

The VICE PRESIDENT. The Chair prides himself on his reading qualities.

Mr. SIMMONS. I know the Chair is a good reader.

The VICE PRESIDENT. This is what the author has to say on the suspension of the rules:

Sometimes the regular rules of the body interfere with the transaction of business desired by the House at a particular moment, and the House invokes a method of temporarily suspending the force of a particular rule until the matter in question is presented, considered, and acted upon. Then the rule immediately comes into force again.

The difficulty is met by moving the suspension of the obstructing rule. This is done by a Member securing the floor and saying, "I move to suspend the rule (or rules)," specifying the rule or rules intended, or by saying, "I move the rule (or rules) be suspended."

The motion can not be debated, and can not be amended or have any subsidiary motion applied to it. For example, it can not be laid on the table or postponed indefinitely. A vote on the motion can not be reconsidered. In Congress a motion to suspend the rules for the same purpose can not be renewed the same day; in ordinary societies it may be renewed after an adjournment, though the next meeting be held the same day. It is not in order when the body is acting under a suspension of the rules. Neither is it while the previous question is operating. Deliberative bodies usually state in their code of rules what vote is necessary to suspend the rules, and provide that it shall

exceed a mere majority; for example, that it shall be two-thirds or three-fourths. The common usage is to require a two-thirds vote.

The rule in the United States House of Representatives is that "No rule shall be suspended except by a vote of two-thirds of the Members voting, a quorum being present."

Some have held that unless the rules of the body provide for their own suspension they can not be suspended unless by general or unanimous consent, but the common practice is to permit the suspension of a rule by a two-thirds vote.

Good judgment should be used in introducing the motion to suspend, for its too frequent use tends to the destruction of the binding force of the rules. If the rules are suspended on any or every pretext, they practically cease to be rules.

Mr. SHEPPARD. Mr. President, I think it is proper to call attention to the fact that the author does not state the entire condition in the House of Representatives.

The VICE PRESIDENT. The Senator from Texas will understand that the Chair is not taking any part in the discussion nor trying to influence the vote or to make an argument; but this being a new work on parliamentary law, he is simply putting it into the Record, so that hereafter Senators may know where to find it.

Mr. SHEPPARD. I understand that. I wanted to call attention to the fact that in the House of Representatives—

Mr. JAMES. Regular order, Mr. President.

The VICE PRESIDENT. The Senator from Texas has the right to proceed, in view of what the Chair did.

Mr. SHEPPARD. The Senator from Kentucky is pursuing the same revolutionary tactics that have characterized his side of this matter all the way through.

Mr. JAMES. I am pursuing no revolutionary tactics at all. I call for the regular order, which I have always understood under the rules of the Senate is perfectly legitimate. I do not think the Senator from Texas ought to be quite so touchy when the rules are invoked.

Mr. SHEPPARD. Yes; but the Senator does not show a spirit of fair play; that is what I intended to say.

Mr. JAMES. I am showing a public spirit of fair play, because I want to go to a discussion of the question.

The VICE PRESIDENT. Just one moment.

Mr. SHEPPARD. A matter has been introduced here which purports to sustain one side of a question before this body, and it is not fair play to deny me the privilege of answering. I have a right—

The VICE PRESIDENT. Just a moment. Language of that kind can not be permitted in the Senate of the United States.

Mr. SHEPPARD. Mr. President, what language?

The VICE PRESIDENT. A Senator can not impugn the motives of another Senator. It is an absolute violation of the rules of the Senate. This is not a question to get mad about, but it should be considered in good humor. The Senator from Texas will proceed.

Mr. SHEPPARD. There has been no language used on my part—

The VICE PRESIDENT. The pending question, of course, is the question to agree to the report of the Committee on Rules.

Mr. SHEPPARD. I rose—

The VICE PRESIDENT. The Senator from Texas has a perfect right to proceed and say what he wants to say.

Mr. SHEPPARD. Mr. President, I have not questioned the motive of any Senator. I have intended to exhibit no anger. There was placed in the Record here a statement from an authority on parliamentary law to the effect that in the House of Representatives the suspension of the rules requires a two-thirds vote. That is only partially true. The Committee on Rules in the House of Representatives may bring in a report suspending any rule, and it requires only a majority vote to adopt the report of the Committee on Rules.

I had no intention whatever of displaying any feeling in this matter. I have the highest respect and the kindest feeling for every Senator on this floor.

Mr. JONES. If the Senator from Texas will permit me, I wish to suggest that the rule of the House of Representatives referred to is not a rule based on common practice, but upon an express rule of the House adopted by the House itself.

Mr. JAMES. Mr. President, it seems to me that this question has already been settled by the Senate of the United States upon a roll call. It is now of record; and the Senator from Texas and the Senator from Washington entirely overlook the strong statement in this book upon parliamentary law, which is that it takes in legislative bodies usually two-thirds to suspend the rules. That is the common practice, and that is what this author on parliamentary law says.

Whatever may have been his opinion or the opinion of any other writer on parliamentary law, the Senate itself has already determined that question. I do not see any necessity for anyone to get mad about it or to get mad because something is

submitted to the Senate that goes to show the wisdom of the Senate in its former action.

Mr. GALLINGER. Mr. President, addressing myself to the motion before the Senate, I desire simply to say that we are getting a good deal of instruction on parliamentary law during this debate. A few days ago a Member of this body read into the Record the views of the author of a book called Robert's Rules of Order, which book is usually employed in debating societies, in women's clubs, in our public schools, and in some religious gatherings. It is not recognized as an authority at all on parliamentary law anywhere on earth. Now a bishop has given us some instruction about this matter, and he has not seemed to address himself to the rules of the Senate, but, rather, to the rules of the House of Representatives. It occurs to me that we are capable of making our own rules which are designed to govern this body.

In common with every other Senator I yield to the decision of the Senate made the other day, although it was in direct contravention to the rule that is written in our code, which does not require a two-thirds vote or a three-fourths vote, but simply states that the rules can be suspended upon motion if a certain procedure is adopted. But the Senate has decided the matter, and of course we are bound to obey the mandate of the Senate. However, I do not think we will get much enlightenment from reading into the Record the opinion of outside parties, who presumably know less about our rules than we do ourselves.

The VICE PRESIDENT. If the Senator from New Hampshire objects, the Chair will strike it out.

Mr. GALLINGER. I do not object at all, Mr. President. On the contrary, I am very glad to have it go into the Record for what it is worth.

Mr. OWEN. Mr. President, I wish to have it appear in the Record that while the Senate did determine this question and therefore it will require now by that determination of the Senate a two-thirds vote, at the same time it should be also remembered and observed that the Senate's mandate on this question fixing a two-thirds vote in this instance was a majority vote of the Senate, a majority vote which could now be reconsidered if the Senate chose to do so and by a majority vote revoke the two-thirds rule required in this instance. Therefore the rule of the Senate, in fact, is a majority rule, after all.

Mr. LANE. Mr. President, on yesterday I called attention to some errors in certain statistics; but I find that the Reporter has left out a couple of words which change the meaning of what I said. I was calling attention to the fact that one of the large Government penal institutions is located in Kansas and that citizens from other States are confined there temporarily and perhaps counted in as a part of the criminal population of Kansas. I said there were perhaps some from Nebraska, also some that had gone from other States of the Union, and some from Oregon, a fact which I knew, for the reason that I had been interested in times past in getting them released from there. The Reporter made it read that I had been interested in getting some of the citizens of Oregon incarcerated therein. I should not like to have that statement go back home, for I did not make it and it is contrary to the facts.

I wish to say something along the line which was suggested by the Senator from Mississippi [Mr. WILLIAMS] yesterday, but from a little different angle, upon the proposition of prohibiting the sale of liquor in the Capital City of the Nation, or anywhere else for that matter. The Senator was quite right and he spoke the truth when he said that the use of alcohol never benefited anyone. It never did, and it never will. I have come to that conclusion quite independently of any personal predilections on the subject. It has been forced upon me in the practice of my profession that alcohol has no food value whatever and also that it has no value as a remedy for disease. It is not a good stimulant, and about the only thing that alcohol is good for is to get drunk on. I guess that has been proven by the experience of mankind from the earliest times, and that is the principal reason, if any does exist, for its use as a beverage. It has the faculty of lowering the physical vitality, and, for that matter, the mental and moral tone of any and all persons who use it. It does so inevitably. There is no man with a constitution strong enough or with nerves hardy enough to resist its action. There never was one and there never will be. That has been tested and found out in all countries where men are compelled to place great strains upon their physical endurance.

In the interior of Alaska where the temperature goes down to 50 or 60 degrees below zero, and 70 and 80 degrees below zero, for that matter—though that is not so common—they do not allow anyone going out upon a long trip upon the trail to take liquor of any kind with him. If a man is met with upon the trail with whisky, or if it is ascertained that he has whisky with him, it is taken away from him and the bottles are broken.

They do not do that out of any feeling of kindness for him particularly, but they have found, and from experience, that it is necessary to do so, for the reason that under the influence of whisky a person loses his finer sensibilities, and his feelings become benumbed, and such a man on the trail will take chances which he otherwise would not take. If his feet or his hands become frozen, the whole expedition is tied up in taking care of him. It may be that the lives of others are risked and even lost through the fact that they have to stop somewhere on the trail without proper food supplies to care for this person who has foolishly allowed himself to become a derelict upon their hands. So they go right through his pack, and if he has whisky or alcohol, they take it away from him and break the bottle. For his sake and for their own protection it is necessary to do this act of prohibition. So it has been well proven that it is not safe for a man to undertake the hardships or the great strains which are placed upon him in that climate if he uses liquor while doing so.

In hot climates it is the same. Stanley would not permit anyone to go with him upon his expeditions through Africa who used either liquor or tobacco in any form. He found such men were not able to keep up with the expedition; that they hampered it. That is the truth of it. There is no prize fighter, a man who has to exert every ounce of his strength in his contest, who dares to drink liquor during his training period, or can afford to do so, or, if he is in the habit of doing so, he soon loses out. It is the same way with foot racers or any athletes upon whom a strain or test is put. I think there can be no question about these statements. Alcohol does no good; it is of absolutely no use on earth so far as that use is a beneficial one to mankind as a beverage, and it has no just claim upon anyone.

One Senator said yesterday that he had a great deal of respect for alcohol, for the reason that out of wheat and corn and rye and grapes, those very necessary products of the earth, which are beneficial to mankind, you could stew and brew whiskies and wines. That is true; so you can. I was going to say—I did not like to interrupt him at the time—that you can make a stronger drink, one that will make the drunk come quicker and last longer, out of potatoes and brown sugar, and the Indians do it in Alaska. They call it hoochinoo; and it is a much cheaper drink and fully as abiding, and one does not have to use wheat nor grapes nor rye to make it.

I think the idea which the same Senator presented here—and I have a great deal of respect for him—that prohibition is, in a measure, an economic question, is true. I do not think that those who wish to prohibit the use of alcohol and put the saloons off the face of the earth will be entirely fair if they do not substitute some place for them, some resting place, some place where a stranger, a man who is tired, who is beaten by the storms of winter, may go in and sit down by a fire and rest himself and be made welcome. That is why the saloon makes its way with the unfortunate people in this world. It is for the reason that it affords a sort of resting place for tired and homeless men. I think it is up to society to provide such places to replace the saloon. I am now, and have long been, of the opinion that the churches of the country should not be closed for six days in the week. For six days and nearly every night in the week, if you go by them, you will find their doors are closed to the homeless stranger; they are dark; they are gloomy; they look cheerless and unfriendly. It has always been my opinion that if you wish to drive the saloon out of business you should build a good fire in each church, and perhaps in every schoolhouse, and make men welcome there, and invite them to come in and sit down and take a rest, and entertain them in some useful and harmless way. I think we owe that to the men who now seek solace and a refuge in the saloon.

I think also an economic question is involved in another way. The man who undergoes the hardships of the world, the hard-working man, the man whose position is not too secure, who has no large means at his disposal to take care of him in the later period of his life, or even temporarily, perhaps in many cases to bridge him over immediate necessities, is the man who does the drinking. He is also the man who goes insane, for the reason that the trials of life bear down hard upon him and disturb his equilibrium, nervous, mental, as well as physical, and he becomes the wreck of society. Therefore he should be offered some substitute, whether the saloon is abolished or not.

I do not think that alcohol is the direct cause of a large percentage of insanity. I do not think that tables of statistics, if carefully examined and analyzed, will show that it is the old alcoholic, the chronic drunk, who, as a rule, goes insane. He becomes a hobo; he becomes a nuisance; he is the cause of misery to his family and to his children; he makes his wife

unhappy and is the cause of their not having enough food to eat and clothing to wear; he may become shattered physically, but, as a rule, he does not become insane. After he quits drinking, as a rule he resumes his normal mental condition and lives along without becoming insane. I do not think much of statistics which try to prove that he furnishes the largest proportion of the inmates of insane asylums; for the reason that my experience is to the contrary.

I have not much confidence in statistics such as were quoted here yesterday to the effect that the reason why one State will have a larger number of insane than another is due to the use of alcohol or the abstention from alcohol. For many years it has been noted that such States as New York, which is the port of entry for the largest number of people who come to this country from foreign lands, and is the mecca for a large number of the people of this country who wish to live in a large city, have a larger number of insane people than the States which do not offer such inducements or which do not appeal so strongly to the restless and the ambitious. On the Pacific coast the city of Seattle, the city of Portland, Oreg., the city of San Francisco, and the States of Oregon, California, and Washington will show a larger percentage of insane commitments in proportion to population than will the Middle States, such as Ohio and Iowa, for the reason that it is the restless who work their way across the continent to the far Pacific coast in the hope of bettering their condition. Men and women who are mentally unbalanced as well as those who are restless find their way to such sections, the first class perhaps fleeing from imaginary persecution, and after arriving there break down from one cause or another, such as a failure of their hope of making money, and such communities have to take care of them. So it may be that the difference between the State of Kansas and the State of Nebraska in the proportion of insane is due to some such controlling influence or factor as that, Kansas having offered greater opportunities than Nebraska, being a State which has opened up its resources in the last few years and risen from a condition where it was known as one of the poorest States in the Union—it was so known when I was a young man—until now it has arrived at the distinction of being one of the richest States in the Union, has attracted into its borders men and women from all over the country who would have gone insane if they had stayed at home. As I have said, it is the restless, discontented person who goes insane. It is not the placid, self-satisfied person of sure income, who rests at ease in his home, who ordinarily goes insane. The percentage of insanity among persons of that class is much less than it is among the more eager, among those less satisfied with the conditions which prevail about them.

Alcohol goes directly into the circulation. It does not remain in the alimentary canal; it is not digested; it enters immediately into the blood and thence makes its way directly to the nerve centers. The result of taking it into the system is that it accelerates the action of the heart, not by stimulating it, perhaps, but by opening up the arteries and the veins, and the heart gets into a state of fluttering activity, not a firm tonic action, but a tremulous one, in its attempt to feed the enlarged blood vessels. It was worked out a number of years ago by a medical gentleman that one drink of whisky taken, say at bedtime—the "nightcap" of our forefathers—will accelerate the action of the heart, say, 30 beats in the minute. The heart carrying a half ounce of blood at each beat, there would be nearly a pound of blood each minute, 60 pounds an hour, added to the duty of the heart; and in 8 or 10 hours it would amount to an enormous weight, an enormous additional labor put upon an organ which was already being deprived of its proper nerve tone. The necessary result was that in the morning the man who was in the habit of taking a "nightcap" or going to bed pretty well soured, rose the next morning with a dark-brown taste in his mouth and a consuming thirst for much cold water.

The action of alcohol in the system is direct and it goes not only into the circulation of the general system, but much of it finds its way immediately to the kidneys. It is notorious, having been known to medical men and other observers for years and years, that the man who drinks regularly suffers from kidney disease more frequently than does the average man who does not use alcohol. It has been ascertained, too, that it goes directly to the liver, which is one of the digestive organs; so that the man who keeps himself pretty well soaked with whisky or with any other stimulant of an alcoholic nature for a reasonable time is very liable to have hardening of the tissues of both the kidneys and the liver. It does not always result in direct hardening, but it does produce destructive processes in those organs.

There is no good in the use of it; there is no argument which can be made in its behalf, so far as any benefit to be derived

from it by human kind. It is an outlaw; it is a curse; and yet I think, as does my friend from New Jersey [Mr. MARTINE], that there are other concomitant conditions also which it is equally our duty to relieve, such as the condition of unjust economic distress among the poor, who are the ones who use it most freely and disastrously. We owe it to ourselves to provide relief for them. If we did so, there would be less drunkenness among men. In the last analysis, that method is perhaps the only one that will cure the curse of the country. On the other hand, however, there is no good word which can truthfully be said in behalf of the use of alcohol.

I think my friend, the Senator from Mississippi [Mr. WILLIAMS], is mistaken if he thinks that alcoholic drinks derived from the grape, the fermented liquors in contradistinction to those that are distilled, are less harmful. It is my opinion that he is decidedly mistaken. The Englishman and the Scotchman and those people of Europe who drink heavy port wines are, I think, killed off as quickly, and I think more quickly, than those who confine themselves to the use of pure whisky.

If a person is going to drink at all, if he wants to get drunk, if he desires a stimulant, as a physician who has practiced medicine nearly 40 years I would say to him, "Get good, pure whisky. Leave wines and beers out. You will last longer and do yourself less harm, and the result will come cheaper to you in the long run. It is a matter of economy. If you really wish to use alcohol and get the effects from it without any subterfuge or fooling about, it is the safest drink of all."

I say this in order that those who are going to continue the use of it may have the advantage of my study on this subject. If they want a straight, unadulterated liquor upon which to get drunk, let them use pure alcohol, cologne spirits, the alcohol itself diluted with water. You will all do better to stick to plain whisky or pure alcohol rather than to go fooling around with high wines.

Yesterday some reflections were made upon the State of Georgia and the State of South Carolina for having passed laws forbidding the sale and the use of alcoholic drinks, and yet were unable to keep certain enterprising gentlemen dropping in from other States, men with a keen nose for the article, from finding it. [Laughter.]

For the benefit of the residents of those States, I would suggest that they adopt the method of the Eskimos to protect their food supplies from the ever-hungry malemute dogs, which is to cache it on a platform about 20 feet above ground. By doing this enterprising and thirsty visitors from other States would have to seek their solace in the open and by means of a ladder.

Mr. THOMAS. Mr. President, we are about midway in the short session of the Sixty-third Congress. It began on the 4th of December, 43 days ago. It will end on the 4th of March, 46 days hence. We have therefore exhausted, inclusive of Sundays, 43 days in the consideration of important business, and we have, not excluding Sundays, 46 days remaining, during which period of time we must enact, if at all, the 14 remaining appropriation bills.

But one of them has been passed. Another is before the Senate, which should, and but for this resolution would, have been passed days ago. We have been considering for, I think, four days, in the midst of these important and unavoidable duties, the question of suspending a rule of the Senate by a process which, I understand, was invoked last some fifty-odd years ago, to the end that a subject which, however important in itself, is not germane to the substance of the bill, may be made a part of it, and either enacted into law or rejected.

If we establish this precedent, it can and will be invoked in behalf of other measures which, in the minds of Senators, may be quite as important as this, but which may be equally foreign to the subject matter of the measure under discussion.

Mr. President, I protest that we have halted the business, the pressing business, the real business, the important business of this session long enough in our discussion of an attempt to suspend a rule for a particular purpose. Four days, this day included, will have been exhausted—I had almost said wasted—in debating a matter that should not have been injected into the business of this important session, and fully 75 per cent of that time has been exhausted upon this side of the Chamber, where at present the responsibility for the enactment of legislation rests.

Mr. President, I shall vote against this motion, because I do not think the rule ought to be suspended now, of all times, and because I am satisfied that, however important the subject matter under discussion may be, we would, by suspending the rule, set a precedent that will surely be at once invoked in behalf of other matters, and as a result the 4th of March would come and find us where we are at present.

I think under the circumstances, in view of the magnitude of our task, that ordinary rules of business procedure require that we should vote upon this matter now, get it behind us, take up and pass this appropriation bill, and then proceed to the next important subject of urgent legislation.

Mr. WALSH. Mr. President, I desire to say a word along the line just pursued by the distinguished Senator from the State of Colorado [Mr. THOMAS].

The question before the Senate does not present at all the merits of the question whether prohibition shall or shall not prevail in the District of Columbia. The question before the Senate is whether a rule of the Senate shall be suspended in order that the amendment offered by the Senator from Texas [Mr. SHEPPARD] may be considered in connection with the District of Columbia appropriation bill.

That rule reads as follows:

No amendment which proposes general legislation shall be received to any general appropriation bill, nor shall any amendment not germane or relevant to the subject matter contained in the bill be received.

Confessedly, this amendment is neither germane nor relevant to the bill to which it is addressed. If it were, there would be no need to suspend the rule.

The wisdom of this rule is so obvious, the evils against which it is intended to guard are so pronounced, that the people of the various States of the Union, in establishing their constitutions, respectively, have, almost without exception in the last 30 years, in the case of those that have been framed within that period—and I might say within the last 50 years, put an absolute inhibition upon their legislatures in the matter of amendments to bills of this kind.

I read from a note to Cooley's Constitutional Limitations, as follows:

The constitutions of Minnesota, Kansas, Maryland, Kentucky, Nebraska, and Ohio provide that "no law shall embrace more than one subject, which shall be expressed in its title." Those of Michigan, New Jersey, and Louisiana are similar, substituting the word "object" for "subject." The constitutions of South Carolina, Alabama, Tennessee, Arkansas, and California contain similar provisions. The constitution of New Jersey provides that "to avoid improper influences which may result from intermixing in one and the same act such things as have no proper relation to each other every law shall embrace but one object, and that shall be expressed in the title." The constitution of Missouri contains the following provision: "No bill (except general appropriation bills, which may embrace the various subjects and accounts for and on account of which moneys are appropriated, and except bills passed under the third subdivision of section 44 of this article) shall contain more than one subject, which shall be clearly expressed in its title." The exception secondly referred to is to bills for free public-school purposes. The constitutions of Indiana, Oregon, and Iowa provide that "every act shall embrace but one subject and matters properly connected therewith, which subject shall be expressed in the title; but if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be expressed in the title." The constitution of Nevada provides that "every law enacted by the legislature shall embrace but one subject and matters properly connected therewith, which subject shall be briefly expressed in the title." The constitutions of New York and Wisconsin provide that "no private or local bill which may be passed by the legislature shall embrace more than one subject, and that shall be expressed in the title." The constitution of Illinois is similar to that of Ohio, with the addition of the saving clause found in the constitution of Indiana. The provision in the constitution of Colorado is similar to that of Missouri. In Pennsylvania the provision is that "no bill except general appropriation bills shall be passed containing more than one subject, which shall be clearly expressed in its title."

When the people who framed the constitution for my State were engaged in that work, they were so deeply impressed with the necessity of placing a restraint upon the legislature in this matter that they likewise adopted a provision that no bill whatever should contain more than one subject, and that that should be expressed in the title.

Mr. SHEPPARD. Mr. President—

Mr. WALSH. Just a word further. Thus, Mr. President, the people of my State recorded themselves as believing that there never would arise an occasion so grave, so urgent, that this salutary rule should be departed from; and thus they laid an absolute inhibition upon the legislature, no matter what contingencies confronted it, from enacting legislation of this character.

Mr. SHEPPARD. Mr. President, may I ask the Senator a question?

Mr. WALSH. Certainly.

Mr. SHEPPARD. Does he think Rule XL ought to be repealed altogether?

Mr. WALSH. Why, no; Rule XL ought not to be repealed at all; but Rule XL ought never to be suspended in order that two different and wholly unrelated subjects may be united in the same bill.

Mr. SHEPPARD. Mr. President—

Mr. WALSH. Just a minute; I shall be glad to give way to the Senator in a minute.

Mr. President, it is needless to review the reasons that have thus forced the inclusion of this provision in the constitutions of so many of our States; but let me attempt to elucidate one that forces itself upon the attention of everyone who considers the subject. I undertake to say, in view of the earnestness exhibited by the Senator from Texas, for whom we all have so great a regard, in favor of this amendment which he has offered, that it does not make any difference what appropriations may creep into the District appropriation bill; he will vote for the bill if his amendment is carried. On the other hand, the Senator from Kentucky [Mr. JAMES] has exhibited such antagonism to this amendment that if it should be added to this bill, no matter how wise all the other provisions of the bill may be, he will vote against it.

I have no idea how the Chief Executive of this Nation feels about this matter. He may be as earnest in advocacy of prohibition in the District of Columbia as is the Senator from Texas or he may be as earnest in his resistance to it as the Senator from Kentucky. If the bill goes to him carrying this amendment and it meets his disapproval, he is coerced into signing the bill notwithstanding, or he must veto the bill, in which case an extra session will be necessary for the consideration of an appropriation bill for the District of Columbia in order to provide funds to carry on the government here. On the other hand, if he is in favor of this amendment as earnestly as is the Senator from Texas we may expect that he will give his approval to the bill, although it contains appropriations or provisions in relation to some that are condemned by his best judgment. In other words, he may be forced to sign a bill a most important provision the unwisdom of which he is convinced.

Mr. VARDAMAN. Mr. President—

Mr. WALSH. I agreed to yield to the Senator from Texas.

Mr. SHEPPARD. I had not moved to suspend Rule XL.

Mr. WALSH. I understand, Mr. President; but the Senator has moved, under Rule XL, to suspend paragraph 3 of Rule XVI, which I read. The matter has been referred to the Committee on Rules, and the Committee on Rules has reported favorably upon the matter.

Mr. SHEPPARD. No; but Rule XL permits me to move to suspend the rules, so that a matter will be in order that otherwise is not in order.

Mr. WALSH. Why, certainly.

Mr. SHEPPARD. I am asking the Senator if he thinks that that rule, which permits me to move to suspend the rules in order to put general legislation on an appropriation bill—a practice that he denounces—ought to be repealed.

Mr. WALSH. I have answered the Senator. I can scarcely conceive of a condition of affairs that would suggest the suspension of Rule XVI in order that general legislation may be attached to an appropriation bill. I do not say that in some crisis which the Nation may face it may not be advisable or even necessary to do so, but I do say that at the present time no such condition, no such emergency has been shown. Moreover, the people of the various States of the Union, when they framed their several constitutions, declared that they could not conceive of such a condition being likely to arise in the course of their history, or at least that they were willing to endure the inconveniences of such a possibility in order to escape the innumerable evils that must follow in the train of legislation passed in disregard of the salutary rule which it is insisted should now be suspended.

I yield now to the Senator from Mississippi.

Mr. VARDAMAN. I wish to ask the Senator if he holds that the Senator from Texas is proceeding in order?

Mr. WALSH. Certainly not.

Mr. VARDAMAN. Does not the Senator recognize the right of the Senator from Texas, under Rule XL, to make the motion which is now pending before the Senate?

Mr. WALSH. I do; certainly. I am urging, however, that we ought not to agree to the motion and suspend the rule. I have not urged that the Senator is out of order.

Mr. VARDAMAN. I can not understand the cause of the warmth with which the Senator urges his suggestion. One would infer that the Senator from Texas was proposing a revolutionary or extraordinary measure here. The Senator from Texas is entirely within his rights under the rules. If the Senate does not want to adopt the amendment, the Senate will reject it and be done with it.

Mr. WALSH. The Senator from Mississippi will pardon me. I have not suggested that the Senator from Texas is out of order or that the motion should not be considered by the Senate. I merely say—

Mr. VARDAMAN. The suggestion the Senator makes, that this body should be influenced in its action by the course that

may be taken by the White House or the attitude of the President to the matter under consideration, strikes me as hardly pertinent. I have great respect for the President's opinion, but I would not feel like surrendering altogether my own views.

Mr. WALSH. I desire to interrupt the Senator. I have not suggested that the desires or wishes or opinions of the White House ought to be consulted. I was discussing the wisdom of the provision which forbids that two subjects shall be embraced in the same bill. I advanced that every bill that comes to the executive of any State or the Executive of the Nation with two independent and unrelated provisions in it coerces the Executive, in a way.

Mr. VARDAMAN. I think the Senator from Montana is correct. In my State the title of a bill must describe accurately the contents of the bill, and in the reports of committees to the body in which the bill originates it is always required that the title shall be found sufficient, and the contents of the bill are set out in the title. But those are rules—laws. We are living by the laws of the Senate. We are proceeding in this matter in order, and we have a right to have a vote upon it. If the Senate does not want to adopt the amendment, it can reject it. That is all there is to it. No revolutionary or unusual proposition has been made. Nothing is asked of the Senate except what we have a perfect right to ask under the provisions of Rule XL.

Mr. WALSH. Mr. President, in all that has been said by the Senator from Mississippi I might say I quite concur. There is no want of harmony between us at all. I have not urged that this is out of order; I have not urged that the Senator from Texas has not a right to make this motion; I have not urged that he has not a right to impress his views upon the Senate with all the great skill in debate he is able to command. I address myself to the judgment of the Senate to reject his suggestion that the rules ought to be suspended in order that this amendment might become a part of a general appropriation bill providing funds for the government of the District of Columbia.

Mr. President, inasmuch as the rule has such very general concurrence as I have spoken of, it must be obvious that it never ought to be disturbed in order to permit general legislation to be admitted to an appropriation bill unless in the face of some great crisis, unless in the face of some great urgency. What is there in the situation now confronting us that requires or justifies this extraordinary course? No one has told us any reason why an independent bill which might be introduced by the Senator from Texas prohibiting the sale or disposition of intoxicating liquors in the District of Columbia could not as well present the main question, why it should not be referred to the proper committee, or why it should not come up for consideration in the proper and usual way. I may say, although it is entirely irrelevant to the question, that when a bill of that character comes up regularly I shall vote for it. I believe that it ought to be adopted.

But, Mr. President, that is entirely aside from this question. It might be objected that such a bill would go to a hostile committee which might possibly delay it unreasonably or bury it. What reason is there for apprehending anything of that kind?

When the Senator from Texas moved to suspend the rule and his motion was referred to the Committee on Rules that committee went out, and within a few hours came back and reported favorably in relation to it. What is the reason for supposing that any committee of this body to which a bill introduced by him upon this general subject might go would not be returned with equal dispatch?

But, Mr. President, if it should in any way be delayed, the Senator has a right to rise here at any time and move that it be returned within 24 hours, or other period, and if a majority believe that its importance is sufficient to warrant such action it will be here for consideration in its due order, and it may be taken up by a vote of the Senate, even to the exclusion of the unfinished business, even to the exclusion of the appropriation bills, and the embarrassment of the public business which must follow from a failure to enact them.

Mr. President, no reasons whatever have been advanced why we should depart from the salutary rule which forbids the incorporation of this amendment in an appropriation bill.

Mr. SIMMONS. Mr. President, the Chair has caused to be read this morning, or rather has read himself, a very eminent authority upon the subject of suspending the rules of the Senate or of any legislative body. The statement was made by that authority that a motion to suspend the rules is not debatable. I think the Chair has decided that it is debatable.

The VICE PRESIDENT. In accordance with the rules of the Senate which specify what shall be and what shall not be debated.

Mr. SIMMONS. I am not in any way impugning the decision of the Chair, nor am I advocating the position taken by the authority which the Chair has read as a proper exposition of parliamentary law, but I do want to say a few words in this connection, because I think they ought to be said and because I think the circumstances we find ourselves in to-day emphasize the necessity of the action that I am going to suggest. If a motion of this kind is, under the rules as they now obtain, debatable, the rule ought to be changed, and speedily changed, so as to provide that a motion of this character shall not be debatable.

We have here for the last day and a half been debating the question whether the rules should be suspended or not, and until this morning, until the Senator from Colorado [Mr. THOMAS] took the floor, not a single observation, so far as I have heard, has fallen from the lips of any of the participants in the debate with reference to whether the rule should be suspended or not.

Mr. THORNTON. Mr. President, if the Senator had heard my remarks yesterday, or if he had read them, he would find that in my remarks I did touch on that point and nothing else.

Mr. SIMMONS. We have been, then, until this morning ostensibly engaged in debating the question whether we should suspend the rules, and instead of discussing that question we have been discussing the question which would come up in case the rules are suspended and which would not come up in case the rules are not suspended.

Mr. President, if we had taken the vote immediately upon the question of suspending the rules and that motion had been voted down, this debate would have been saved and the time which has been consumed unnecessarily would have been saved.

Now we are notified by Senators on the other side of the Chamber, and possibly by Senators on this side of the Chamber, that if this proceeding is allowed there will be other motions made as we proceed with this or with other appropriation bills to suspend the rules and to place other riders upon these appropriation bills, dealing with subjects absolutely foreign to the subject of the bill. The Senator from Michigan [Mr. TOWNSEND] has just given notice that he will make a motion to suspend the rule for the purpose of bringing before the Senate as an amendment to an appropriation bill his bill with regard to retired officers' pay.

Mr. TOWNSEND. Mr. President—

Mr. SIMMONS. If the Senator will pardon me, I will not say anything he will desire to reply to.

Mr. TOWNSEND. Will the Senator yield to me for a moment?

Mr. SIMMONS. Yes; I will yield.

Mr. TOWNSEND. The Senator is mistaken in his statement that I said I would move it. I said if it was true that a majority of the Senate could change the rules I should certainly employ that method to put my amendment on the bill, but the Senator will remember I explained how a majority could do that, but I recognize the fact that a two-thirds can not do it.

Mr. SIMMONS. The Senator might desist from offering his amendment, because he thinks he can not get two-thirds in favor of the measure, but we all know how Senators seek here sometimes for legislation that is very popular; that is on the calendar perhaps, but because of other more important business it is held in abeyance or pushed aside. They will have the temptation greatly accentuated to offer such measures as a rider to these appropriation bills, because they think, if it were very popular with the Members of the Senate, they will be able to secure a two-thirds vote.

Mr. President, I say if that practice is to obtain, if we are to invoke this rule that for 53 years has not been invoked in the Senate, then we ought to provide that a motion to suspend the rules shall not be subject to debate, so that Senators can not under cover of a motion to suspend the rules for the purpose of taking up some extraneous subject claim the attention of the Senate here for an indefinite time.

Let us suppose, Mr. President, that there is a disposition on the part of either side of the Chamber or on the part of a considerable number of Senators upon one side of the Chamber to filibuster against some measure, and it is desired to use an appropriation bill as a buffer for accomplishing that purpose. I do not charge that that is the situation now, but I do say that two appropriation bills at this session have taken two or three or four times as much of the time of the Senate to secure action as is ordinarily the case. Suppose, Mr. President, there is a desire to use these appropriation bills, especially during a short session of the Senate like this, as buffers to prevent the consideration of some important measure of legislation which certain Senators are unalterably opposed to, and determined to

defeat by the method that may be open to them, how easy it will be for Senators, under the method the Senator from Texas has adopted, to make a motion to suspend the rules and offer an amendment placing their bill as a rider upon the appropriation bill, and then upon the motion to suspend the rule, before they have reached the subject matter which they wish to add to the appropriation bill, before its discussion has become pertinent, upon this motion to suspend to engage in a general debate such as we had here in the Senate on yesterday, taking up the time of the Senate and indirectly accomplishing the purposes of a filibuster. Mr. President, upon this one appropriation bill we can have a dozen filibusters in effect.

Mr. President, the Senator from Montana [Mr. WALSH] has wisely said that the question before the Senate at this time is not the question of prohibition for the District of Columbia. I want to say to the Senator from Texas if that was the question before the Senate I would not stand against him; I would be as solidly with him as any other Senator upon this floor. There has not been a time in my life when I have not been ready and willing to vote in favor of prohibition. I am willing to put my record upon the subject of prohibition against that of the Senator from Texas or any other Senator upon this floor. Shortly after I became a Member of the United States Senate, and while I was yet chairman of the Democratic executive committee of my State, believing, as I did, that there was a strong public sentiment in that State in favor of prohibition, feeling strongly myself in favor of that as a great measure looking to the uplift of the people, I prepared a bill providing for absolute rural prohibition in the State of North Carolina and municipal local option. I gave it to a member of the legislature and asked him to introduce it and to state upon the floor that I had drafted it, and that as chairman of the Democratic executive committee, if I had the power to do so I would place the Democratic Party behind that measure. It was adopted at the next session. It worked well.

At the next session of the legislature I drafted another bill providing against the manufacture of liquor except in incorporated towns of a thousand inhabitants anywhere in the State. I handed it to another member of the legislature with the request that he offer it and state that I had drafted it, and that, as far as I was able, as chairman of the Democratic executive committee of that State, I desired to put the party behind it. It passed. The towns voted liquor out, with the exception of eight or nine towns. Liquor was voted out. Then, Mr. President, we submitted the question of absolute prohibition, both as to the sale and manufacture of liquor, in North Carolina, and I was one of the chief advocates in favor of it.

I say this, Mr. President, in order that it may be distinctly understood that the position which I take now with regard to my vote upon the motion now pending is not to be construed as being in any way hostile to the cause of prohibition.

I want to state emphatically to the Senator from Texas that I am surprised, in view of his zeal here to-day, that he has permitted the bill providing for prohibition for the District of Columbia to rest in the committee since last April, when, as I understood from his observation yesterday, it was referred to a committee, without making an effort to get it out of that committee and before the Senate.

Mr. SHEPPARD. I have no power over that committee.

Mr. SIMMONS. Ah, but the Senator ought to have proceeded in the regular way. He ought to have gone before the committee and have insisted upon its action. But he did not do that. I am not complaining of the Senator because he did not. I say to the Senator that the bill is there now. I say to the Senator that I will join him in insisting that that committee shall act upon it, and if they do not act upon it in a reasonable time, then I will join him in a vote to discharge that committee and bring the bill before the Senate.

But, Mr. President, I can not stultify myself by casting a vote here to open the doors wide in the conditions which we have in the Senate to-day, in view of the fact that it is a short session, that one-half of that session has expired, and that it would be followed by all sorts of propositions to suspend the rules and to permit riders carrying general legislation to be attached to this appropriation bill and to every other appropriation bill.

Mr. President, the Democratic Party being the majority party is responsible for legislation. I want to ask Democrats, have we not a program this year that we want to carry out? Mr. President, we not only have a program of legislation which we desire to carry out, but we have a program of legislation that we have solemnly agreed to carry out. We have committed ourselves to it. We have promised each other that we will seek to carry it out by every legitimate means known to parliamentary law.

Mr. SHEPPARD. Mr. President—

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Texas?

Mr. SIMMONS. After a little while. Mr. President, it is perfectly apparent that if we enter upon this program and then let the bars down in this case it will not be the only case. We know—every one of us on this side knows—that it is the fixed determination of the party on the other side of the aisle to defeat this legislative program if they can. They have expressly declared their intention upon the floor of the Senate not to permit a vote upon the ship-purchase bill. I do not say that they are filibustering upon the appropriation bills. Filibustering can be done upon appropriation bills, because of their peculiar character, so adroitly that you can not put your finger upon the filibuster.

Mr. GALLINGER. Mr. President—

Mr. SIMMONS. I am not charging that it is being done, but I do say—I will not yield for the present; I will yield after a while—I do say that if we open the doors, if we start upon this policy, with the splendid opportunities for using the appropriation bills for filibustering purposes, with the enlarged opportunities that will be afforded by this method of suspending the rules and taking up general legislation and discussing it ad infinitum, every man of sense in this body knows that we shall not do more at this session than pass the appropriation bills. It means an absolute abandonment by the majority Members of the Senate, who are responsible for legislation, of the program that we have adopted and as to which we have committed ourselves to our party and to the country.

Mr. GALLINGER. Mr. President, will the Senator permit me to interrupt him?

Mr. SIMMONS. Yes.

Mr. GALLINGER. I will not enter, Mr. President, into any discussion with the Senator from North Carolina concerning the question now before the Senate, and upon which the Senator is wasting a great deal of time; but I will ask the Senator for a single moment—

Mr. SIMMONS. I am wasting time—to keep the Senator's method of trying to defeat legislation in which I am interested from being successful.

Mr. GALLINGER. I will ask the Senator if a single moment of time in debate on the District of Columbia appropriation bill, aside from the question which the Senator is now discussing, was not legitimate?

Mr. SIMMONS. I have said that you can not lay your hand upon a filibustering scheme in connection with an appropriation bill. It is so easy with the hundreds and sometimes thousands of items in such bills to take up each one of them or many of them and to discuss them a little while—

Mr. GALLINGER. Yes.

Mr. SIMMONS (continuing). That the discussion seems to be absolutely legitimate, and is absolutely legitimate, and yet the purpose of the discussion may be, and frequently is, delay.

Mr. GALLINGER. And if the Senator will go to the records he will find that more than 50 per cent of the time in discussing the District of Columbia appropriation bill has been taken up by Senators on the other side of the Chamber. The Record will show that to be the fact.

Mr. SIMMONS. The larger part of the time in connection with the discussion of this very proposition we have before us now has been taken up on this side of the Chamber.

Mr. GALLINGER. Precisely.

Mr. SIMMONS. I am saying, Mr. President, that if we had had a ruling of the Chair that this motion was not debatable, we would have voted upon it at once; and if two-thirds had not voted for it, then all this unnecessary debate would have been cut off.

Mr. GALLINGER. There is no question about that; but the Senator, I know, would not ask the Chair to make a ruling that was not justified by the rules of this body.

Mr. SIMMONS. I do not ask the Chair to make such a ruling. What I suggested—and if the Senator was present he would have heard it—was that, without impugning at all the decision of the Chair, I am inclined to think the decision of the Chair under the rule was entirely right; but I was suggesting that we ought to proceed very quickly to amend our rules so as to require that they should provide that such a motion should not be debatable.

Mr. GALLINGER. Of course, there is a proper and legitimate way to amend the rules; and there is a proper and legitimate way to amend Rule XX so as to require a two-thirds vote. I would join with the Senator in amending the rule so as to require a two-thirds vote of this body to suspend the rule.

Mr. SIMMONS. I think we have already settled that point; and I think, in view of the interpretation that we gave to the rule the other day, that it is not necessary to make any further provision about that. Two-thirds from now on, I take it, will be required to suspend the rule, because the Senate has decided that that is the meaning of the rule; but the point I was making was that such a motion ought not to be debatable.

Mr. GALLINGER. That might be true as to a great many motions; but, as a matter of fact, they are debatable under our rules.

Mr. SIMMONS. The reason I was giving why it ought not to be debatable was the very situation that we are confronted with now. Instead of debating it, we have been debating the question that can only come up in case of a two-thirds vote to suspend the rules, and which may never come up. Therefore it should not be debated on the question of whether or not we shall suspend the rules. That debate ought to be held in abeyance until we get to it, and if two-thirds do not vote for suspension, then this time has been absolutely wasted.

Mr. VARDAMAN. Mr. President—

Mr. GALLINGER. I simply want, if the Senator will permit me, to make a further suggestion to the effect that our rules are written in the code, and that we ought to observe them so long as they are there.

Mr. SIMMONS. It is not to that at all that I object.

Mr. GALLINGER. And I am somewhat surprised that the Senator from North Carolina is now arguing that we ought to infringe the right of debate in this body.

Mr. SIMMONS. The Senator from New Hampshire wholly misunderstands me. I have twice repeated that I did not suggest that we infringe the rules; I did not even suggest that the Vice President was wrong in his ruling that the motion was debatable; but I suggest that we ought to speedily change the rules so as to make such a motion nondebatable. That was my only suggestion.

Mr. GALLINGER. Well, when the Senator from North Carolina attempts that, the question of changing the rules will be debatable.

Mr. SIMMONS. Oh, that is a question that we can consider when we reach it.

Mr. VARDAMAN. Mr. President—

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Mississippi?

Mr. SIMMONS. Yes.

Mr. VARDAMAN. The Senator from North Carolina indirectly, if not directly, seems to charge the proponents of this amendment, by discussing this question, with unnecessarily delaying legislation which he says the Democrats have promised to enact, and he says that it ought not to be discussed.

Mr. SIMMONS. The Senator has wholly misunderstood me. I have made no such statement.

Mr. VARDAMAN. What is the Senator from North Carolina discussing?

Mr. SIMMONS. I am discussing this rule; that is what I am discussing.

Mr. VARDAMAN. Then, if it is not out of order, why does the Senator criticize other people for taking up time when the Senator is consuming more time?

Mr. SIMMONS. I can not discuss a proposition without making illustrations to support my argument; but I have made no such statement.

Mr. VARDAMAN. No Senator upon this floor has taken more time to discuss this question than has the Senator from North Carolina this morning.

Mr. SIMMONS. I have not suggested what the Senator said, that the discussion of this question ought not to be had; but what I did suggest was that we ought not to take the time of the Senate to discuss this question until we had decided whether or not we were going to suspend the rules so as to make the amendment offered by the Senator from Texas [Mr. SHEPPARD] in order.

Mr. VARDAMAN. The Senator from Texas, I, and other Senators who are favoring this measure have been ready to vote on the matter all the morning; we are ready to vote now without any further discussion.

Mr. SIMMONS. But, Mr. President—

Mr. VARDAMAN. I want to say, if the Senator will pardon me, Mr. President, that I am getting a little bit tired of being criticized for doing something that I did not receive orders, or rather permission, to do from the self-constituted leaders on this side. I am exercising my right, as is the Senator from Texas exercising his right, as a Senator to move an amendment which we believe to be quite as important to the American

people as is the ship-subsidy bill or any other item on the program referred to by the Senator from North Carolina.

Mr. SIMMONS. Mr. President, I have not denied the right of the Senator to make the motion; I am not criticizing that at all. The Senator from Texas is entirely within his rights, and it is entirely within the right of Senators to discuss this question whenever it is in order to discuss it; but my proposition was to cut off the discussion until the amendment proposed by the Senator had been decided to be a competent and legitimate amendment to this measure.

The Senator from Mississippi says I am taking up time this morning, and that he is ready to vote. Yes; Mr. President, all of yesterday was taken up by the discussion of the merits of the prohibition proposition, but the merits of the rule, which is the only thing now before the Senate, were not discussed at all; and I say, Mr. President—

Mr. VARDAMAN. I want the Senator to understand that I do not object—

Mr. SIMMONS. I say, Mr. President, that a proposition to change a standing rule of the Senate, which has not been suspended in 53 years, and to inaugurate in the Senate a new policy with reference to riders upon appropriation bills is a very important matter per se; it is a public matter and not a private matter, and I think it ought to be discussed.

Mr. VARDAMAN. I have not objected to the Senator discussing it. I think it is perfectly proper to discuss it, because I realize that out of discussion, that by the attrition of ideas and the friction of suggestions the eternal truth may be evolved. I have not uttered one word in protest against the Senator's speaking, but I do not think it is entirely proper and consistent, with my idea of fair play, for the Senator to consume an hour of the time of the Senate and to criticize some of us who have used 15 minutes.

Mr. SIMMONS. I do not think I have been speaking half an hour, but even at that much of the time I have been on the floor has been taken by Senators who desired to interrupt me, and part of it has been taken up by the Senator, who says he was tired of something somebody else was doing. The Senator from Mississippi has been tired ever since he has come here of whatever anybody was doing that he did not agree with, even in the White House. [Laughter.] I shall proceed, whether the Senator from Mississippi is tired or whether he is not tired; that is not a matter of concern to me.

Now, Mr. President—

Mr. VARDAMAN. And, Mr. President, it is equally a matter of indifference to me what the Senator from North Carolina may do or think.

Mr. SIMMONS. Mr. President, I decline to be further interrupted, because the Senator has complained that those who oppose the proposition to suspend this rule, which has stood unsuspended for 53 years, ought not to be heard, ought not to have time to discuss it, after those who favor it have discussed for a whole day the merits of the question which is to follow after action with reference to the pending motion.

Mr. VARDAMAN. Mr. President, the Senator's statement is not justified by what I said.

The VICE PRESIDENT. Does the Senator from North Carolina yield to the Senator from Mississippi?

Mr. SIMMONS. No; I said I would not.

Mr. President, the Senator from Montana [Mr. WALSH] has very pertinently and very wisely called attention to the fact that not only the United States Senate but nearly every legislative body in this country has a rule against riders upon appropriation bills. He has given the fundamental reasons why it is unwise to put such riders upon appropriation bills. However meritorious the legislation may be, however strong it may be with the body to which it is presented, it is an improper way, and an unwise way, as the Senator from Montana has shown, to endeavor to enact it into law. In addition to the reasons which the Senator from Montana has given why it is an unwise thing to do, I invoke the fact that for 53 years no such action as is now sought has been taken by this body.

Mr. President, there have been times in our history when men who represented legislation which they regarded of vital importance, who were just as zealous and just as enthusiastic and just as anxious to have it speedily considered as are the proponents of the proposed legislation now under discussion, have been unable to get the legislation in which they were interested out of the committee and upon the calendar, and, if it were upon the calendar, unable to get it up for consideration. The temptation has been great, as it is in the case of the Senator from Texas, to facilitate and expedite action by attaching such legislation to appropriation bills; but, Mr. President, the common sense and judgment of this body for 53 years has made itself

felt so powerfully with the Members of this body that no effort has been made during all that time to secure legislation through appropriation bills by the medium of the suspension of the rules.

I do not think there could be a more powerful circumstance than that adduced as an argument why it should not be invoked on this particular occasion in this particular case, especially when it is realized that the Senator from Texas will have his opportunity and the advocates of prohibition in the District will have their opportunity—and they have a majority of this body that will back and support them in any course that they may see fit to pursue—to bring this matter before the Senate in a regular and orderly and not in a revolutionary way.

But, Mr. President, the chief reason, to my mind, why it is unwise to relax this rule grows out of two circumstances; first, that a measure brought up here in this way may be a measure which has never been submitted to a committee of the Senate. It may be a measure that has never had any consideration on the part of the Members of the Senate. We have provided, and provided wisely, that nothing shall be taken up for consideration by this body until it has been submitted to a committee of the Senate and that committee have had time to consider and report upon it, not only giving their reasons why they have acted, but, if they have taken testimony in the course of their investigations, furnishing us with the written testimony, so that we may have both the facts and their conclusions to assist us in legislation. I do not think there is any more salutary rule of procedure than that, and yet if this course is allowed—and this is but the entering wedge—then we lose the benefit of committee action, committee consideration, committee investigation, and committee report upon measures before we take them up.

More than that, Mr. President, though we may sneer if we want to at the rights of the Executive with reference to legislation and his power, he not only has rights and power, but he has a responsibility in connection with legislation just as weighty and probably weightier than ours. Our responsibility is divided amongst 96 Members of the Senate; the responsibility of Congress as to legislation is divided amongst 96 Members of the Senate and over 400 Members of the other House. The responsibility of the Chief Executive as to legislation rests entirely upon his shoulders. He is as much a part of the law-making body as are we. His assent—and in his assent is implied his responsibility—is coequal with ours.

Mr. President, when you present to the President of the United States an appropriation bill providing for the necessary expenses to carry on the Government, the effect of the failure of which or a veto of which would be to stop the wheels of the Government, whether it be the District of Columbia appropriation bill or the bill to provide money to carry on the Post Office Department or the Navy or the Army, and couple with that bill a distinct and unrelated proposition of general legislation, he can not veto the one without vetoing the other. It is taking an unfair advantage of the Chief Executive.

For that reason, Mr. President, as well as for the reasons the Senator from Montana has given, and the additional reason that I have given with reference to the loss by this method of the help of committee action, it would be extremely unwise to enter upon the policy of loading down our appropriation bills with matters which do not relate properly to appropriations for the departments of the Government.

Mr. GALLINGER. Mr. President, the first discordant note has been sounded by the Senator from North Carolina in the discussion of the bill making appropriations for the government of the District of Columbia. We have had an interesting debate on many provisions of that bill, participated in by Senators on both sides of the Chamber, I think to a larger extent on the other side than on this. The Senator from North Carolina [Mr. SIMMONS] has made the suggestion that there is a purpose in view, and, as he said, it had been announced to filibuster against another bill in which the Senator from North Carolina is greatly interested.

I wish to say for myself, and I think I speak for every other Senator on this side of the Chamber who has made any observations on the matter, that we have never made any such declaration. We have said, and we repeat, that so far as the shipping bill is concerned we propose to have a full and free discussion of that measure. We do not propose to commit ourselves to Government ownership of steamship lines or railroads or telephones or telegraph lines or any other great industry now conducted by private enterprise without debating it and having the country distinctly understand our position. That is all we have said; it is all we say now; we stand by that declaration, and propose to stand by it.

Mr. President, so far as the matter that is now under debate is concerned, I think we may well keep good-natured over it.

The rule gave the Senator from Texas the right to make the motion he did. It went to the Committee on Rules, and the Committee on Rules reported it back favorably, and I think the Committee on Rules meant to do the right thing. It has, perhaps, resulted in a longer debate than some Senators desired; but that frequently occurs in this body, to the discomfort of some of us on one side or the other of this Chamber. As I have suggested, I think we had better keep good-natured about it and determine this matter dispassionately and calmly and without heat. That is what I propose to do, and I trust every other Member of this body will do the same thing.

I regret, personally, that so much feeling has developed on the other side of the Chamber between our friends of the Democratic Party, because we want to help them keep good-natured. We want them to enjoy themselves as long as they are in power. It is not going to be a great while [laughter], and we want to contribute our little mite toward their happiness whenever we have an opportunity. As a humble member of the minority, recognizing the fact that our Democratic friends are temporarily in power, I wish to assure them that we do not particularly enjoy the violent outbursts we have witnessed to-day between distinguished members of the majority party; and I will add simply that I hope we will now proceed in order and calmly discuss, if it is to be discussed further, the question before the Senate, and in due time take a vote upon it, and we will all bow, as we must bow, to the decision of this body when that decision is rendered.

For myself, Mr. President, I have not taken any time in this discussion. I am in favor of the motion the Senator from Texas has made. I shall vote for prohibition for the District of Columbia, if I get an opportunity to do so, believing that such action will be for the best interests of a majority of the people. I shall vote for national prohibition, if I get an opportunity to do so, believing that that action will be in the interests of a majority of the people of the country at large; but I am not going to find any fault with any Senator who differs with me or who votes differently from the vote I shall cast.

I hope now, Mr. President, in the interests of good legislation, in the interests of good nature and good feeling all around, that we will proceed to the further discussion of this question, if it is to be further discussed, and that in due time we will take a vote upon it and settle it.

Mr. JAMES. Mr. President, I am sure this side appreciates, and I am doubly sure I do, the deep interest always manifested by the Senator from New Hampshire in keeping this side in a good humor. I know, of course, that it would grieve him overmuch to see anything happen upon this side that would cause strained relations between Democrats. He has so recently had an experience of that kind in the Republican Party and I know he has seen the bad effects of it so manifested upon his own party that he does not desire to see it inflicted upon the Democratic Party. It is a glorious thing in this country that everybody has a right to prophesy; and I am certain that if there is any happiness to be derived by the Senator from New Hampshire from prophesying about the success of the Republican Party I should not, if I could, deny that to him, because I feel certain that it will run in the next election where it did in the last; that is, third. [Laughter.]

Mr. GALLINGER. Mr. President, I am not going to get into a political controversy with my good friend from Kentucky. I had no purpose of saying anything that would result in that. I simply expressed a friendly feeling for our good Democratic friends; and I was reminded, as I was on my feet—I thought I would not quote it then, but I think I will now—of the words: Behold, how good and how pleasant it is for brethren to dwell together in unity.

[Laughter.]

Mr. JAMES. Mr. President, that is the second time I have heard the Senator quote that verse very recently. If there is anybody on earth who ought to be an expert in all those statements in the Bible or in history about "brethren dwelling together in unity," I am certain a Republican ought to be quite familiar with them, since their Chicago convention so delightfully experienced it. [Laughter.]

But, Mr. President, the Senator from New Hampshire need not be alarmed. The Senators on this side discuss questions. We have our opinions about them. We may be a little over-enthusiastic sometimes, but the Senator takes that too much to heart. He is too much impressed with it. I can assure him that we will all be together in solid phalanx behind the Democratic nominee in 1916.

But I arose, Mr. President, not to discuss the prospects of the Republican Party—I do not think that question sufficiently important to call for serious consideration—but to discuss the question that is now before the Senate—the suspension of the

rules of the Senate for the purpose of considering the question of prohibition in the District of Columbia.

This discussion has proceeded here as if the issue were, "Is whisky a good thing or a bad thing to use?" That is not the issue at all. The immediate issue here submitted is whether the rules of the Senate shall be suspended to consider the question of prohibition in the District of Columbia.

This is the first time in 53 years there has ever been an attempt in this Senate to tie onto an appropriation bill new legislation—unconsidered, undigested, uninvestigated legislation—in this way by a suspension of the rules. In the State that sends me here to represent them it is provided in our constitution that only one subject can be considered in a bill before the legislature, and that subject shall be plainly stated in the title. The importance of preventing the tying of one issue onto another, so prolific of bad legislation, was manifest to the organic-law makers of our State, so they prohibited it in the constitution, as has been stated by the Senator from Montana [Mr. WALSH]. So this body, by its rules of procedure, provided that amendments presenting new legislation could not be tied onto appropriation bills. I believe that this rule has saved the people of this country more money, has been a greater protection to the people's Treasury than any other ever written. Gentlemen having a desire to raid the Treasury, and knowing that standing alone it would fail to become a law, would tie onto it some popular principle of new legislation. Some gentlemen would vote for the bill containing the two questions because it contained the legislation they approved; others would vote for it because the Government could not proceed without the necessary appropriation. Hence, it would pass, yet either alone would fail, and neither is the will of the majority. While some might be willing to break down this protection to serve an end they deemed wise, it would return many times to plague them.

The attempt here is not to take the sense of the people of the District of Columbia on whether or not they desire the sale of spirituous, vinous, or malt liquor; no vote is to be given to them; no referendum to them is submitted; they are not to be consulted. It is proposed to have Congress—which the District of Columbia did not elect, had no voice in selecting whatever—vote upon the people here absolute prohibition. Their advice is not asked; they are not consulted; but the District of Columbia, in which there is the city of Washington, the Capital of the Nation, with 400,000 people, is to be disfranchised upon this question, and without a hearing before a committee of the Senate. I can not support such a proposition. It is undemocratic, un-American, and unfair. It would deny to the people here a right given to the people in every other State in the Union, either of a direct or an indirect referendum—direct referendum when the vote would be upon the issue itself, or indirect when the vote was for the candidates upon platform pledges as to their course.

In Kentucky we have local option. I was elected to the Senate upon a platform which pledged our party to local option. Our party enacted it into law, and each "locality"—which in our State is the county, the unit—passes upon this question at the polls—the voters, the people themselves. No legislature would dare to usurp this right of local self-government and impose whisky upon a dry county or impose prohibition upon a wet county. I would not vote to impose upon the people here prohibition without submitting the question to them, any more than I would vote to license the sale of whisky here, if it were prohibited by law, without submitting the question to the people. The rule of the people must be recognized in all questions. No question is so good or so great that it is better than the rule of the people, which is the voice of the people, which, we have often been told, is the voice of God. In Kentucky we have, as I said, local option, where the county is the social unit. I believe in local option. It has been a success in our State.

In Kentucky, which perhaps distills more whisky than any other State in the Union—certainly more good whisky than any other State in the Union [laughter]—we submit the issue, wet or dry, license or no license, to the people, and under this law more than 106 counties voted to prohibit the sale of whisky. The other 14, in which there are large cities, have the sale of whisky. It is possible for the whole State to be dry, if it is the will of the people in each county. The people living in one part of Kentucky can not force their will upon the other part of the State. Local self-government is given to the people of each county, which together constitute the State. To each self-governing community is given the right of self-government. This is democracy as I have always been taught it. The platform upon which I was elected to the Senate pledged me to the county unit in local option; that is, to give to the people in each county

in our State the right to say at the ballot box whether whisky should be licensed or prohibited. That is local self-government in each county. For me to vote here to deny that right to the people of this District would be a direct violation of the spirit of that platform promise. I was elected upon that platform, and I shall not violate it. I will not do that. In each county in Kentucky, some of them with less than 10,000 people, they have this right of self-government, a right pledged to them by my party. Shall I now vote to deny the same right of self-government to the people here, 400,000 in numbers, forty times the size of the unit to which it is given in my State under the pledge of the Democratic Party and written into law by their legislature? I challenge any advocate of prohibition upon this floor to point me to a city that in any way approximates the size of Washington where prohibition has been a success when it was voted upon them against their will.

There was placed in the CONGRESSIONAL RECORD yesterday a letter from the Washington Mercantile Association. That letter gives the names of organization after organization in the District of Columbia that have protested against prohibition. Let me read the first one:

The Personal Liberty League of the District of Columbia, with a petition of residents and taxpayers numbering about 50,000.

In this District there would not be over 80,000 voters. So here is a protest from a majority of the voters against prohibition. I am in favor of the rule of the people everywhere. Why should the people here be denied it?

Why, in my State you can not have a vote upon local option—that is, the denial or the permission of the sale of whisky in a county—unless you get 25 per cent of the voters of that county to petition for it. Why is that? That is a good law. The reason for it is that there should be no necessity for an election that will stir up a community, as the question of whisky or no whisky will, and make enemies out of good friends unless there is a decided desire in the county to have that question decided, to have the law changed, which is dry to wet or which is wet to dry. You can not enforce a prohibition law in any community unless you have back of that law a healthy public sentiment.

Take the District of Columbia. It would seem that the reason why the effort is made here to vote prohibition direct upon these people without their consent is because the advocates of that policy believe that if the question were submitted to the people themselves they would refuse to vote it.

Mr. SHEPPARD. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Texas?

Mr. JAMES. I yield to the Senator.

Mr. SHEPPARD. Did not the Senator from Kentucky the other day vote to impose on the people of this District a change in the plan of taxation without saying anything about referring it to them?

Mr. JAMES. Oh, certainly, Mr. President; but that is not a parallel case at all. The legislatures of the various States pass upon questions of taxation without submitting them to the people, but upon the question whether or not whisky shall be sold in a county that is "dry" or prohibited in a county that is "wet" it always has been the policy in practically every State in this Union to submit it to the voters at the ballot box.

How can you enforce prohibition in the District of Columbia if you have not back of it the sentiment of the people here? Your jurors, your officers, the men who indict and the men who try, the officers who arrest, the witnesses who testify, and the judges who preside are the men who must enforce this law. That is the reason why prohibition has been a failure in every big city in this Nation. The public sentiment has not been strong enough to uphold the law. It was a failure in Nashville, it was a failure in Memphis, because public sentiment did not favor it and would not uphold it, and it would be a failure in the District of Columbia if it were forced upon these people without their consent.

I have heard a great deal of a referendum. That has been dear to the hearts of some—almost as dear as prohibition—yet in the District of Columbia the iron hand of power would be leveled against these people, without giving them the opportunity to be heard, by those who have told us so much of referendums. The rule of the people upon a question like this applies as much to the people of the District of Columbia as it applies to the people of a county in Kentucky.

You say you have not the machinery for it. Why, all you have to do is to appoint the election officers, print the ballots, and prescribe the qualifications of the voters. That is all that is done in Kentucky. The election commissioners appoint the election officers, the sheriff serves notice on them, the clerk has the ballots printed, the election officers conduct the election, and the result is determined by the people themselves. But

here in the District of Columbia we are told that the liberty of the citizen fades as he approaches the Capital of the Nation; that a right dear to the people of the States shall be denied here; that out in the States they have the right to govern themselves, but here in the District of Columbia, because they are close to the Capitol itself, because they are near to the very seat of liberty, therefore we will force upon these people, without giving to them the opportunity to be heard, prohibition that in all probability would not in the slightest degree be enforced—if forced on them against their will.

Mr. President, because you are willing to give to the people the right to rule themselves, because you believe a question of this kind can be better handled under strict regulation and a high license, it is as unfair to designate one who takes that position as lining up with the saloon men as it would be for me to turn upon those who advocate a prohibition law that could not be enforced in great cities and line them up with the "blind tigers" and the "speak-easies" and bootleggers" that violate the law that has been written upon the statute books.

Mr. WILLIAMS. Mr. President—

The VICE PRESIDENT. Does the Senator from Kentucky yield to the Senator from Mississippi?

Mr. JAMES. I do.

Mr. WILLIAMS. If the Senator will pardon me, in that connection I wish to call his attention to a fact well known to him, and I suppose to a great many Members of the Senate.

Abraham Lincoln was very ardently in favor of the abolition of slavery as far as it could be constitutionally accomplished. There was no doubt about the fact that Congress could abolish slavery in the District of Columbia, and yet Abraham Lincoln said that as a Member of Congress he would not vote for a bill to do it unless it had been previously submitted to the people of the District of Columbia. You might just as well say, then, that he was hypocritical and insincere in his pretension that he wanted to abolish slavery because he was willing to leave to the people of the District whether it should be abolished or not.

Mr. JAMES. Certainly; the right of the people to govern themselves and to rule themselves in the District of Columbia was recognized, and advocated by Abraham Lincoln, and it ought to exist in the same degree that it does in every State of the Union. Gentlemen say that you do not submit this or that taxation question to the District of Columbia. Certainly not, nor do you in any of the States submit that question to the people of the State; but you must remember that in the State there are two ways by which this question of local option or prohibition has been decided—either upon the direct vote of the people upon the issue itself, or by voting for a candidate who himself declared how he stood upon that question. But in the District of Columbia no Senator has been voted for by the people here. No Senator stated what his position was when he was elected as to the District of Columbia; the people of the District of Columbia had no right to pass upon his election to the United States Senate.

I want to say that in the District of Columbia the people here have just as much right to settle this question as to whether or not they want whisky or no whisky as they have in the State of Kentucky.

My friend from Texas [Mr. SHEPPARD] represents a great Commonwealth, the State of Texas, and he is undertaking to force upon the people of the District of Columbia by men they did not elect, against their will and without their consent, a policy of prohibition that the great State of Texas itself has three times recently repudiated. I ask him would he be willing to vote upon the people of Texas prohibition when that question was submitted to them twice at the ballot box and twice they have defeated it, and only recently they again expressed their opinion in the election of a governor who stood opposed to State-wide prohibition? Yet the effort is made here to impose upon these people prohibition without ever giving them an opportunity to be heard. Would he do Texas the same way?

Mr. President, the letter that I shall ask to have read states my position upon the whisky question. It is a letter familiar to Senators, but in order that they may again hear it I send it to the Secretary's desk. It is the letter by President Wilson to Rev. Thomas D. Shannon. I ask that the Secretary may read it.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

MAY 1, 1911.

REV. THOMAS D. SHANNON,
16 Clinton Street, Newark, N. J.

MY DEAR MR. SHANNON: The question asked in your letter of April 27 about my attitude toward the important question of local option is, of course, a perfectly legitimate one, and you are entitled to a very

frank answer. I would have replied sooner had I not been prevented by imperative public engagements. I have explained my views to you in private, but have, of course, no objection to your making them public.

I am in favor of local option. I am a thorough believer in local self-government, and believe that every self-governing community which constitutes a social unit should have the right to control the matter of the regulation or of the withholding of licenses.

But the questions involved are social and moral and are not susceptible of being made parts of a party program. Whenever they have been made the subject matter of party contests they have cut the lines of party organization and party action athwart to the utter confusion of political action in every other field. They have thrown every other question, however important, into the background and have made constructive party action impossible for long years together. So far as I am myself concerned, therefore, I can never consent to have the question of local option made an issue between political parties in this State. My judgment is very clear in this matter. I do not believe that party programs of the highest consequence to the political life of the State and of the Nation ought to be thrust on one side and hopelessly embarrassed for long periods together by making a political issue of a great question which is essentially nonpolitical, nonpartisan, moral, and social in its nature.

Very sincerely, yours,

WOODROW WILSON.

Mr. JAMES. Mr. President, that letter states that every social unit shall decide for itself the question of license or no license. Prohibition has been a success wherever public sentiment has been back of it. It has been a failure wherever public sentiment has been opposed to it.

It is claimed that the issue is to be determined here as to whether whisky is a good thing or a bad thing, whether it is good for the human system or bad for it, whether it affects the kidneys or has no effect whatever. Mr. President, that is not the question. The question here is what is the best way to regulate and handle the whisky question—whether by high license and strict regulation or by prohibition. The question is whether or not you can enforce a prohibition law in a community that is opposed to it and impose upon the people of that community prohibition without ever allowing them to have a word to say about it.

Of course the direct issue here is whether or not the rule shall be suspended and this proposition placed before the Senate. I shall cast my vote in opposition to it for the reasons I have given. I am perfectly willing that this question shall be submitted to the people here. If it is their will to prohibit the licensing of the sale of whisky, then the law can be enforced, because the people are back of it and public sentiment will enforce it.

Mr. SHEPPARD. I wish to ask the Senator from Kentucky a question before he takes his seat. He has stated that he is in favor of local option. Does he mean to say by that that if he were in a county that voted as to whether or not there should be prohibition he would vote for prohibition?

Mr. JAMES. The Senator misconstrued my terms. In Kentucky local option means that each locality shall determine for itself how it stands.

Mr. SHEPPARD. Will the Senator answer as to how he would vote in one of those localities?

Mr. JAMES. I have already voted. In my home county I voted in a local option election, and I voted dry, because the people there, the sentiment there, could handle the question and enforce the law.

The sentiment in my community under the local option law prohibited the sale of whisky in the county, and it was a community that has enforced the law. But just 160 or 170 miles from my county is the city of Memphis, where they have not enforced the law. Public sentiment favored the law and enforced it in one social unit; in the other it opposed it and violated it. The rule of the people is manifest by this comparison. It is better to let the people rule, for when you do they will sustain the law; if you do not, they will violate it. For in the last analysis public sentiment is the law. Every community is just as good as the public sentiment of the people makes it.

Mr. KENYON. Mr. President, I am not going to take any time on this question, because I hope that a vote may be reached, but in view of the letter submitted by the Senator from Kentucky [Mr. JAMES] I think it would not be inappropriate to place in the Record another editorial of the Secretary of State upon this subject. I placed one editorial in the Record a few days ago, and I shall from time to time place in the Record these editorials as they shall appear. I am sorry that the editorial which appears in the Commoner to-day, in which Secretary Bryan predicts the end of the liquor business in this country, has not as yet reached Washington, but it will be here during the day, and I shall then submit it. For the present I ask to have read, in answer to the letter read by the Senator from Kentucky, the part I have marked from an editorial in the Commoner of December, 1914.

The VICE PRESIDENT. Is there any objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

These questions are, however, at issue in the States, and as a Democrat I am interested in seeing the party take the moral side of both questions—the side that appeals to young men who are coming out of our schools and colleges and who assume the obligations of citizenship with a vision of better things. Every new issue causes a new alignment; in proportion as it is an important issue it brings about changes in party affiliations. If the Democratic Party takes the side of the brewer, the distiller, and the saloon keeper, it will lose many of its best members and it will draw to itself the worst element of the Republican Party, and the Democratic Party can not afford to invite an element that puts desire for drink before principles of government and the Nation's welfare. The more we have of that element, the more difficult it will be to draw to us those whose presence gives strength to a party and whose voice and example increase its numbers.

The Democratic Party can not be killed, even by association with so contaminating an influence as the liquor interests, but why should the party allow itself to be debauched and disgraced? It would take a decade or more to remove the odium that the representatives of the triple curse—the saloon, the gambling hall, and the brothel—will bring upon the party if they are allowed to dictate its policy. The result of the liquor fight in the late campaign is full of warning; if the Democratic Party fails to heed this warning to it, it does so at its own peril.

W. J. BRYAN.

The VICE PRESIDENT. The question still is on concurring in the report of the Committee on Rules.

Mr. WHITE. Mr. President, the immediate question before the Senate has not been much discussed, but the real question, the question that reaches the ultimate end, has been debated. The question to be voted on is, as I understand it, Shall the report of the Committee on Rules be adopted? If this report should be adopted, then the way would be open for the Senator from Texas to offer his amendment to the appropriation bill under consideration prohibiting the sale of intoxicants in the District of Columbia. This is the subject which has been discussed by Senators and is the one dominant in the public mind. Therefore it devolves upon me as a representative in this body to express the views of my constituency upon the subject as well as my own. Happily on this occasion they are in accord.

I am opposed to the saloon, and I will go further and say that I am opposed to the sale of intoxicating liquors in any way. A large majority of the people in my State are opposed to the saloon and share my views on this subject. This is conclusively shown by the fact that only two days ago the legislature that has recently assembled in Alabama, by a three-fourths vote in each house, prohibited the sale and manufacture of liquor throughout the entire State. It is further demonstrated by the fact that there are 67 counties in Alabama, and 66 of those counties, by a vote of the people in the counties, have prohibited its sale and its manufacture.

But, Mr. President, I am not here alone to reflect the views of the people of Alabama. I am here to give expression, as far as I can, to the views of the people of the Nation. This is essentially a national question. The authority of Congress to exercise the police power of the Nation to protect the morals and safeguard the health of the people of the District of Columbia can not be doubted. The power is lodged there and it is lodged nowhere else. It devolves upon Congress to act, and if it does not act action can not be taken.

Are the people of the Nation affected by this question? Have they any responsibility resting upon them? Both these questions must be answered in the affirmative. They are vitally affected. The sovereignty of the District abides in them. They reside here in the persons of their representatives. The national life is centered here. The conditions existing naturally affect the efficiency of their representatives in the discharge of their duties. It is well for the people that the moral and social atmosphere in which their representatives live should be clean and pure; that their environment should be the best. When I speak of the people's representatives I do not mean to include only their representatives in Congress, but all those who are here at the behest of the people doing the work of and discharging the duties imposed upon them by the public. Surrounding them by proper conditions is conducive to a better and more faithful discharge of their duties.

The people of the entire Nation are deeply concerned in every officer and every employee of the Government, as well as the members of their families, to say nothing of the thousands of young men and young women they are sending here from their homes, in whom they have a personal interest. The lives of these young men and young women are to be made or marred by civic conditions existing in the District.

The people of the Nation are concerned in conditions existing here for other reasons. This is their Capital; thousands of them visit it annually, and to that extent become a part of the District's life. They are to be benefited, elevated, injured, or lowered by the social and moral atmosphere in which they are

compelled to live while they are in the city. That atmosphere should be made conducive to their happiness and safety.

The people of the United States are concerned in this case for a greater and better reason than those I have given. They love their fellow men. Their desire to help and advance humanity is itself an all-sufficient reason for the interest they feel in the people of the District. In their action they are complying with the new commandment, "Love thy neighbor as thyself."

It is asserted, however, by some that the people of the District should determine the question. I take issue with this view. While the people of the District have a right to be heard on the subject, they have no right to control the situation. The question presented is whether the District shall control the Nation or whether the Nation shall control the District. There can be but one answer to this question. It answers itself.

Mr. President, it is not necessary for me on this occasion to point to the vice involved in the liquor traffic or to assert that the saloon is a thing of evil. That is admitted on all hands. No Senator in this debate has assumed the responsibility of defending the saloon or of denying its evil effects on the community. So far they affirmatively admit that the presence of the saloon is harmful in its effects on society and that no good whatever results from it. The saloon has no defender on this floor, none who will even apologize for it. The only contention is that prohibition will not prohibit. If this contention is conceded, it furnishes the strongest reason that can be offered why saloons should be driven from the District. For if we have in our midst an evil, an admitted evil, that is capable of combating and defying the Federal Government, then we had better make the issue and settle the question. If the Federal Government is to be powerless and helpless when met by this foe of society, this enemy of mankind, then the people of the United States had better know it and adopt some other means of conquering a foe that is engaged in a life-and-death struggle with them.

Mr. President, I think this is the opportunity, the best opportunity, for the people of the United States to demonstrate whether prohibition laws can be enforced, as in the District of Columbia the entire influence and power of the Federal Government can be brought to bear in favor of its enforcement.

Conditions in the District of Columbia are not comparable with those in the various counties of the States. In the counties the people elect the officers who are to enforce the law, and if the people are opposed to the law they will elect officers who are with them in sentiment, but in the District of Columbia the officers are selected by the Government itself. They are responsible to the Government. They will be held accountable by the Government, and when the Government is engaged in a struggle in which it is to be determined whether it shall be supreme or shall fall limp and helpless at the feet of the saloon, the Government will see to it that officers are appointed who will enforce the law and then see to it that the law is enforced.

Mr. President, I am in favor of adopting the report of the committee and thereby give the people the opportunity of accepting the challenge of the liquor forces that they are more powerful in the District of Columbia than the Government of the United States of America.

Mr. JAMES. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. WALSH in the chair). The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gronna	O'Gorman	Smith, Ariz.
Bankhead	Hardwick	Overman	Smith, Md.
Borah	Hitchcock	Page	Smoot
Brady	Hollis	Perkins	Stephenson
Bryan	Hughes	Pittman	Stone
Burleigh	James	Poindestexter	Swanson
Chamberlain	Johnson	Pomerene	Thomas
Chilton	Jones	Ransdell	Thompson
Clapp	Kern	Reed	Thornton
Cole	Lane	Root	Tillman
Culberson	Lee, Tenn.	Saulsbury	Townsend
Dillingham	Lee, Md.	Sheppard	Walsh
du Pont	Lippitt	Sherman	White
Fletcher	Martine, N. J.	Shields	Williams
Gallinger	Myers	Shively	
Gore	Norris	Simmons	

Mr. TOWNSEND. The senior Senator from Michigan [Mr. SMITH] is absent from the Senate. He is paired with the junior Senator from Missouri [Mr. REED]. This announcement may stand for the day.

The PRESIDING OFFICER. Sixty-two Senators have answered to their names. A quorum is present. The question is on the adoption of the report of the Committee on Rules.

Mr. NORRIS. I wish to inquire from the Senator from Indiana [Mr. KERN]—or if he is not present, perhaps the Senator from Mississippi [Mr. WILLIAMS] can tell me—if it is contemplated that we are going to adjourn prior to 2 o'clock?

Mr. WILLIAMS. I understand it is contemplated that we shall take a recess later this afternoon.

Mr. KERN entered the Chamber.

Mr. WILLIAMS. The Senator from Indiana is here.

Mr. KERN. I beg pardon, I did not hear what the Senator said.

Mr. NORRIS. I inquire whether it is contemplated that the Senate is to adjourn prior to 2 o'clock.

Mr. KERN. No, sir; it is contemplated that we shall take a recess by 4 o'clock.

Mr. NORRIS. Then, Mr. President, in anticipation that the amendment which I propose to offer can not be reached to-day, I ask unanimous consent to have read for the information of the Senate and printed in the RECORD an amendment to the pending bill that I expect to offer later on.

Mr. SIMMONS. Mr. President, is it an amendment to the amendment that is pending?

Mr. NORRIS. No; it is an amendment to the District of Columbia appropriation bill. I wish to have it printed in the RECORD for the information of the Senate. I expect to offer it when the pending amendment and other amendments are disposed of.

Mr. SIMMONS. Does it relate to general legislation?

Mr. NORRIS. No; it does not relate to general legislation, but to special legislation.

Mr. KERN. Mr. President, I should like to inquire of the Senator from Nebraska if he knows of any reason why a vote should not be had on this bill within the next two hours?

Mr. NORRIS. A vote can be had; then I shall offer the amendment when we get to it; but I rather anticipated from the way this debate has been going on that we would not finish the bill to-day.

Mr. KERN. I understand the Senator from Washington [Mr. JONES] wishes to speak, as he informs me, about three-quarters of an hour or an hour. I am not advised that any other Senator will speak.

Mr. NORRIS. Well, no harm will be done by having the amendment now read. I only ask to have it read for information.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Nebraska for the reading of the amendment? The Chair hears none. The amendment will be received and read as requested.

The SECRETARY. It is proposed, after line 6, page 30, to add the following:

The Secretary of War is authorized and directed to construct two public bathhouses and convert portions of the tidal basin in Potomac Park into public bathing beaches as outlined in Senate Document No. 593, Sixty-third Congress, second session, and for the beginning of such improvement the sum of \$50,000 is hereby appropriated.

Mr. JONES. Mr. President, during the discussion yesterday I had a very pleasant thought from the fact that partisanship was not suggested in any way, shape, or form in the discussion. I had at first thought I would refer to that fact if I got recognition to speak; but as the debate further proceeded and no reference was made to partisanship or party affiliations, I had decided not even to refer to the matter at all, not even to that fact. So I regret that to-day, for the first time in the discussion of this question, has partisanship cropped out; that some of our friends on the other side of the aisle have apparently appealed to party ties and to party support to defeat the adoption of the report of the Committee on Rules, and that the President has been brought into the matter in one way or another. I do not think that ought to have been done; and I hope that this side of the Chamber will not be charged with filibustering if we do refer to some of the matters which have been brought up by our friends on the other side, although they may not be exactly germane to the question at issue before the Senate.

I really see no occasion for the suggestions of the Senator from North Carolina [Mr. SIMMONS] that this side of the Chamber has been filibustering. I know that he disavowed any such charge against us, and of course I accept his disavowal; yet the language used would lead the ordinary layman to conclude that the Senator had in mind the idea that we had been in a way purposely and needlessly delaying the passage of the pending appropriation bill. That would be of the nature, of course, of a filibuster. Anyone who will read the RECORD, however, will come to the conclusion that the debate thus far has been perfectly legitimate, and it has been.

The Senator from North Carolina suggested that more discussion had been had with reference to appropriation bills

this session than ever before. I want to suggest to the Senator that we on this side of the Chamber have more of an excuse now to consider appropriation bills very carefully than ever before. The "captain of the team" on the other side of the Chamber made a speech in Indianapolis a few days ago in which he gloried in the fact—at least he claimed it was a fact—that his "team" had been able to slip into a bill a particular provision that the Republicans knew nothing about. He seemed to take much satisfaction out of the fact that under his captaincy his "team" had been able, to use a common phrase, to "put it over" on our side of the Chamber. I have heard of "jokers" in bills, and that has always been my idea of what a joker is—something slipped in without consideration, without notification or advice to the other side, slipped in quietly and surreptitiously and in the dark, without discussion, without education with reference to the matter.

Mr. HARDWICK. Mr. President, will the Senator yield at that point?

Mr. JONES. Oh, certainly; with pleasure.

Mr. HARDWICK. Would the Senator mind quoting the exact language of the President? Unless I read his address wrong, he did not use any such language as the Senator is using.

Mr. JONES. I am not pretending to quote the language of the President.

Mr. HARDWICK. The Senator has used the words: "slipped in surreptitiously."

Mr. JONES. My recollection is that the President used those words. If he did not, he used words that mean that.

Mr. HARDWICK. I will get the address.

Mr. JONES. I shall be very glad if the Senator will quote the President's exact language. I dislike to take the time of the Senate to stop now and look up the President's message and examine it to find just what the exact language was; but I do know that the President expressed an exultant note, an exultant feeling, that something had been put into the bill that the Republicans did not know anything about and did not "get on to it" until after the bill had been passed and enacted into law.

Mr. CLAPP and Mr. GALLINGER addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Washington yield; and if so, to whom?

Mr. JONES. The Senator from Minnesota interrupted first, and I yield to him.

Mr. CLAPP. I wish to say that the only person who was oblivious as to the contents of the bill with reference to the proposition to afford a junket was the President himself. The matter was fully discussed by the committee, and I think on the floor, and objected to on the ground that we had already provided either one or two just such junketing trips during that session of Congress. If that constitutes a tariff commission, we now have two, if not three, tariff commissions.

Mr. GALLINGER. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from New Hampshire?

Mr. JONES. Certainly; I yield to the Senator from New Hampshire.

Mr. GALLINGER. Is my memory correct or is it at fault? Did not the President use the words "Woodrow chuckled" in connection with that matter?

Mr. JONES. I think so; since the Senator has refreshed my memory that is my recollection. But, of course, the address has been put into the RECORD, and it will speak for itself as to whether or not the President used that language.

Mr. SWANSON. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Virginia?

Mr. JONES. I shall do so in just a moment.

The President certainly did chuckle audibly in his address at what he thought had been "put over" on this side of the Chamber. Now I will yield to the Senator from Virginia.

Mr. SWANSON. As I understand, a fair interpretation of the President's speech would be that he was surprised that many Republicans should now be clamoring to pass in Congress something that had already been passed—legislation for the appointment of a commission that could investigate matters connected with the tariff; and he chuckled that he had knowledge enough to know that if that were wise, it had been provided for, and other people did not know it. There was no evidence that it had been done surreptitiously. As I understand, it passed the other House, then came over here in the House bill, and was discussed in the Senate. I have no doubt the President was surprised that some Republicans had been trying to get legislation that had already been provided for.

Mr. REED. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Missouri?

Mr. JONES. Certainly.

Mr. REED. I merely wish to remark that if one-tenth of the presidential crimes were committed which Taft charged to Roosevelt and which Roosevelt charged to Taft, then, if a Democratic President has done nothing worse than to "chuckle," we are, indeed, progressing.

Mr. HARDWICK. Mr. President, will the Senator from Washington yield to me?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Georgia?

Mr. JONES. I yield.

Mr. HARDWICK. I have here the exact words the President used, and they do not justify, in my judgment, any such characterization as has been made of them either by the Senator from Washington or elsewhere.

Mr. JONES. I shall be very glad to have the Senator read the language.

Mr. HARDWICK. Very well, sir, if the Senator will yield to me for that purpose I shall do so.

It is as follows:

That kind of science I do not care to know anything about, except enough to stop it. But if by scientific treatment of the tariff they mean adjustment to the actual trade conditions of America and the world, then I am with them; and I want to call their attention, for though they voted for it they apparently have not noticed it, to the fact that the bill which creates the new trade commission does that very thing. We were at pains to see that it was put in there. That commission is authorized and empowered to inquire into and report to Congress not only upon all the conditions of trade in this country, but upon the conditions of trade, the cost of manufacture, the cost of transportation—all the things that enter into the question of the tariff—in foreign countries as well as in the United States, and into all those questions of foreign combinations which affect international trade between Europe and the United States. It has the full powers which will guide Congress in the scientific treatment of questions of international trade. Being by profession a schoolmaster, I am glad to point that out to the class of uninstructed Republicans, though I have not always taught in the primary grade.

Mr. JONES. Of course the Senator can construe that language just as he pleases; I shall construe it as I understand it; and I think it bears out fully what I said a moment ago, that the President was exulting in the fact that he thought he had put something in this bill which the Republicans did not know anything about. He says substantially, "We put it in; we worked it out; we were at pains to see that it was put in there."

Mr. HARDWICK. Mr. President, if the Senator will pardon me, the President was merely expressing his deep regret at the ignorance of the uninstructed Republicans.

Mr. JONES. Oh, yes; that is true. Of course he used very dignified language in the address where he charged Senators on this side of the Chamber with being ignoramuses. He did not use the word "ignoramus"; I will admit that, but that is what he meant. I do not complain at his language. I suppose he honestly believed what he said.

Mr. WILLIAMS. Well, a rose by any other name would smell as sweet.

Mr. JONES. As my friend from Mississippi suggests, a rose by any other name would smell just as sweet.

Mr. WORKS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from California?

Mr. JONES. Certainly; I yield.

Mr. WORKS. I should like to suggest that if the President has "put anything over" on anybody, it has been on the Democrats and not the Republicans. We have been earnestly favoring a tariff commission for a long time.

Mr. JONES. I think so. I have been wondering whether the President has come over to the policy of protection, because, according to the Democratic theory, a tariff commission is not needed, and you have always said so; so that if we do need a tariff commission and there was put in the bill a provision for a tariff commission to take into consideration the differences in the conditions of manufacture and in the cost of production as between this country and foreign countries, it has been put in to carry out a policy of the Republicans, a policy in which they believe. So that, as the Senator from California suggests, the President is probably "putting something over" on his team, and it may be possible that when you get into caucus this afternoon you will have orders there to take up a protective tariff system, or something of that sort, to meet the present emergency; I do not know.

Mr. REED. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Missouri?

Mr. JONES. Gladly.

Mr. REED. If the President has adopted a Republican policy, as the Senator insists, and has played directly into the

hands of the Republicans, as the Senator insists, I should like to know what he is making all this noise about? He ought not to complain even at the Greeks bearing gifts.

Mr. JONES. Mr. President, I am not insisting that the President has done this; I am merely wondering if it is true. I wish to say to the Senator from Missouri that I would welcome the support of the President in behalf of protection; I will be glad if he does issue orders to his team to favor the protective system and put it into effect; and I believe that would more nearly insure the continuance of the Democratic Party in power than any other thing he could do. If he should follow the suggestion and recommendation of the Democratic national committeeman from the State of New York, things would not look so rosy for us Republicans as they do now. Nor am I complaining for his coming around to the Republican view.

Mr. REED. Mr. President—

Mr. JONES. I gladly yield to the Senator from Missouri.

Mr. REED. I do not know for which wing of the Republican Party the Senator is speaking, whether he is speaking for the revitalized stand-pat element, which he and certain other Senators were condemning only a few months ago, or whether he is speaking for that moribund and rapidly shrinking animal known as the "Bull Moose"; but I can say to the Senator that there is nothing in the language of the President to indicate that he has in the slightest degree abandoned the Democratic doctrine—that taxation should only be levied for the support of the Government and that no government has the right to pick the pockets of all the people for the benefit of a few of the people, particularly when the few are wealthy corporations already grown too great and powerful.

The Senator fails to distinguish between a remark which indicates that a board has been created which has the power to gather certain data and information and an abandonment of a well-known national policy. The Senator seems to think that if the Democratic Party were to get information through this board it necessarily would employ it as he might employ it or as one branch of his party might employ it, for the purpose of ascertaining how much more they could take out of the pockets of the people and transfer into the coffers of some manufacturers.

I want to say to the Senator another thing in reply to his remark that we may get orders in our caucus this afternoon from the President. The Democratic caucus has not been taking orders from the President, and he has not been sending orders there. The Democratic conference will meet this afternoon and discuss propositions in its own way relating to the public business and will not be interfered with by anybody. The Senator can disabuse his mind of that, as he might well disabuse his mind of the thought that by distorting and twisting the plain language of the President, and after it has been read still standing for the distortion and insisting upon the twisting process—that by such means as that he will deceive anyone in the United States as to the intention or utterances of the President or will conceal his own purposes.

Mr. JONES. Mr. President, my recollection is that in that address the President also, to a certain extent, divided the Democrats into classes; and I think he referred to some who were sitting on the brakes or the traces, or something like that, retarding the wagon or injuring the team and affecting the virility and the efficacy of the team. I do not know whether or not he placed the Senator from Missouri in that class, and I do not know whether or not the Senator from Missouri is really authorized to speak for the President, but I do know that he could not have a better spokesman than the Senator from Missouri, and I say that very sincerely.

Mr. REED. Mr. President—

Mr. JONES. I gladly yield to the Senator, although I hope the Senator from North Carolina will not charge me with filibustering by yielding to his friends on the other side, because I am not. I am really anxious to get along.

Mr. SIMMONS. If the Senator will pardon me, of course I do not wish to interfere with the Senator from Missouri, but the Senator from Missouri seems to be in doubt about what the Senator from Washington is trying to do. I am not in any doubt about it. It has been apparent to me for some time that the Senator from Washington was trying to play the favorite Republican game recently, of setting up a man of straw and knocking him down, and feel it is a little ungracious for my Democratic colleagues to interfere with the Senator in that delightful Republican game.

Mr. JONES. Now, I gladly yield to the Senator from Missouri.

Mr. REED. Mr. President, I only rose to say that I do not pretend to be the authorized spokesman of the President of the United States. I never made such a pretension, and I do not

know of any other person who is authorized to act as his spokesman. Of all the men in this country to-day who are abundantly able to speak for themselves, Woodrow Wilson stands preeminently at the head; but when the plain language uttered by any man in public place is sought to be distorted and a sinister meaning given to it, I have the right as a Member of the Senate and as an humble member of the Democratic Party, which I have always been and always will be, to direct attention to the fact that the language employed by the President is not susceptible of the construction sought to be placed upon it.

I would not have taken this much time if the Senator had been the first man who had raised this construction. The leader of the minority in the House of Representatives is quoted in the public press as having uttered very similar sentiments. The truth about the matter is that the speech of the President evidently struck home, and there has been a good deal of squirming ever since, and I make the prediction that the "galled jade" will wince quite frequently in the future.

Mr. JONES. Mr. President, I assure the Senator from Missouri that I do not feel like the "galled jade." I would vote this minute to print that speech and send it to every man, woman, and child in the United States. It would be the best document for Republicans that could be sent out. The Senator suggests that we have distorted the meaning of the President's address. Well, practically every newspaper that came out the morning after that speech was delivered had big headlines calling attention to what the President had "put over" on the Republicans; and I am satisfied that every man who will read that speech and every man who read that speech at that time has the impression that the President was really delighted that he had apparently obtained something that the Republicans apparently had not "gotten on to."

I do not say that he suggests that it had been done insidiously, or anything of that sort, but that it had been put in; it had not been called to our attention; we did not know about it; it was something they had gotten in, and the President was delighted at the dexterity of his "team" in working out this matter without Republicans knowing about it.

Mr. JAMES. Mr. President, does the Senator think that the President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Kentucky?

Mr. JONES. Certainly, I yield to the Senator from Kentucky, although I am sorry to take so much time.

Mr. JAMES. I shall take only a moment. I want to suggest to the Senator from Washington that I do not believe the President would claim that he is able to put anything over the Republican Party. Since it put Taft over Roosevelt, I think they are adept in that regard, so that when it comes to "putting things over" I do not think anybody claims to have anything on the Republican Party.

Mr. JONES. I think the President was really delighted at the thought that he had done so.

Mr. JAMES. I think when it comes to "slipping things over" and "putting things over" nobody claims to excel the Republican Party.

Mr. JONES. I think the President was really delighted that he, a schoolmaster who had not taught very much in the primary grades, in the kindergarten, had been able to do something which he thought showed great dexterity; but I do not care to go into the proposition the Senator from Kentucky suggests. That would look like filibustering, it seems to me, and that matter has absolutely nothing to do with the matter before the Senate or with the question I am discussing. Should I do so, the Senator from North Carolina would have some cause to complain.

Mr. CLAPP. Mr. President, will the Senator yield to me for a moment?

Mr. JONES. Certainly.

Mr. CLAPP. I do not think the President's Indianapolis speech was justified. It is true he used the word "Republicans" as though all Democrats were familiar with the provision of the trade commission bill to which he referred and that no one else was familiar with it. He did that probably for political purposes. The vice of his speech—and I say it freely and frankly—was the intimation that he knew more about what was going on in connection with legislation than Senators knew. He simply used the word "Republicans" to relieve himself, as I firmly believe, from any suggestion of exulting over his political colleagues.

As a matter of fact, the committee knew the provision was in the bill; they discussed it in the committee; they discussed the fact that similar provisions for similar trips to Europe had been put in other legislation; but still it was thought well enough to

leave the provision in the trade commission bill. Every member of the committee was aware—and, if my memory serves me right, it was pointed out here on the floor—of that fact, and I do not think the President of the United States has a right to go out and make a speech which casts a reflection not only upon the Senate but upon the members of the committee having the bill in charge.

So far as the politics of it is concerned, I do not care two straws. I never was much of a partisan, and the older I get the less of a partisan I am, but I was a member of the committee having the trade commission bill in charge, and I have no hesitation in standing here and saying that, either intentionally or unintentionally, the President created a false impression as to the knowledge of the members of that committee as to what was in the bill and the scope of the bill.

Mr. JONES. Mr. President, the Senator from Missouri said that the Democratic caucus would not take orders from the captain of the team. I know that the Senator from Missouri will not take orders from the captain of the team, but I am not so sure about the caucus. As I understand, the caucus determines its action through a majority vote, and if a majority gets its orders it will probably obey. I doubt if the President would give to the Senator from Missouri the impression that he did with reference to a couple of other very distinguished Senators in this body. I do not know whether the President stays awake nights with reference to what the Senator from Missouri may do or not. Possibly he does not; but I know the Senator from Missouri acts in accordance with his honest judgment on the floor of the Senate, so far as that is concerned, and the President knows it would do no good to lay awake nights about what he will do.

I did not expect to create all this discussion over this little matter. I simply referred to this suggestion of the President for this purpose—and I should like the attention of the Senator from North Carolina, not at all for the purpose of involving him in what he thinks is a filibuster, but to suggest to him the very reason why I made that suggestion about the President's reference, and this is really what I have been trying to get a chance to say for some time and the only reason I referred to it.

I have the impression, and a great many people have the impression, that the President took some delight in putting something into the Trade Commission bill, or that something was gotten in, that we Republicans did not know about. Now, I am afraid in the case of these appropriation bills that the team, under the leadership and orders of the captain, may try to slip in some more things that we do not know anything about. If they will do it once, they will do it again. Therefore, as one Republican—I have not talked with others—I feel that we ought to scrutinize these bills very carefully, because while, to use the language of the President, we are "ignorant," we might stumble on to something that would injuriously affect the people. So it seems to me that we are justified in scanning very carefully and very closely every measure that our Democratic friends bring in here to see whether they are getting in something else that they can boast about afterwards as something that we did not know anything about. We ought to watch the bills.

Mr. SIMMONS. I should like to inquire of the Senator whether he has read the bill.

Mr. JONES. I certainly have.

Mr. SIMMONS. Did the Senator move to strike anything out of it? Did he find anything bad in it?

Mr. JONES. Why, Mr. President, I am a humble member of the committee that has charge of the bill.

Mr. SIMMONS. Yes. The Senator had opportunity to see it when it was before the committee, did he not?

Mr. JONES. Oh, the Senator from North Carolina can not point to any time when I have been delaying the District of Columbia bill.

Mr. SIMMONS. I am not objecting to the Senator's moving to strike out anything that is in the bill. What I am objecting to is suspending the rules for the purpose of putting on the bill some general legislation.

Mr. JONES. Mr. President, there is one appropriation bill before one of the Senate committees now that contains new legislation that, if properly considered, will take all the rest of the time of the Senate this session. You will bring that bill in here before very long and you will want to pass it without any consideration and without any discussion. Do you think we ought to let you do it? I do not. I do not believe, for the good of the country, that we ought to let you put in these things without considering them. There is a whole lot of legislation in that bill. Whether it is good legislation or not I do not know yet, but it ought to be considered and it will be considered. Senators on the other side rather reflect upon the intelligence of the people of this country if they think they can make the

people believe that they ought to be permitted to pass legislation through this body without consideration and without discussion. The mere fact that your captain says a thing is right does not end it.

The Senator says we have a program to put through. I have heard about it. I was told some time ago, or I saw in the public press, that the Democratic caucus had met and had decided upon a program, and that what they had decided to do was to pass the appropriation bills; that all other legislation would be laid aside in order to get the appropriation bills through, and then, if they had time, of course, they would take up other matters. Now, I understand that a Democratic caucus is to be called this afternoon. I have not the honor to be a member of it. I do not know why it is called, but I suppose it is to get the team together to try to change the program, and possibly adopt another program.

Probably I ought not to suggest that this caucus may be called upon the suggestion, possibly, if not the order, of the captain of the team. I suppose that the conferences of a team are usually called by the leader and by the captain or at least at his suggestion; so possibly the captain has called the Democratic team together in caucus in order to change the program and adopt a new program and endeavor to put it through. The secret caucus seems to be the place to do things now rather than in the open Senate.

I do not know whether it is true or not, but we hear it said that there are certain measures that must be put through. I want to say to the Senator from North Carolina, however, that he will know when I am filibustering. He will know it without any suggestion of a deduction. I want to say to him, however, that the measures he proposes to put through will not be put through without discussion and without consideration, and that discussion and consideration are not filibustering. There will be legitimate discussion and legitimate consideration, and you may call it what you please.

Mr. SIMMONS. The Senator need not remind me that I will know when he is filibustering. I have seen him in action once before, when the little matter of a clerk was involved.

Mr. JONES. Yes; and that was taken care of, too. [Laughter.] Whenever I want to filibuster again it will be right along those same lines, and it will be even a more effective one than that. So I do not want the Senator to conclude, because I yield to my Democratic friends on the other side to interrupt me, that I am engaged in a filibuster, because I am not. I want to be very courteous to my friends over there, and I wanted to call attention to these matters. I would not have referred to them at all; in fact, they never occurred to me until my friend from North Carolina spoke. If anybody is responsible for the use of this time, I shall have to lay the responsibility upon the Senator from North Carolina; and I will tell him privately what I have told him so many times before with reference to various bills in which he has been interested.

The Senator from Kentucky [Mr. JAMES] says, "Let us have a referendum for the people of the District of Columbia," and yet he is going to vote to prevent it. He is going to vote to shut us out of any opportunity to consider a referendum on this proposition for the people of the District of Columbia. He is going to vote against the suspension of the rules. If he would suspend the rules, then this amendment would be subject to amendment. He could provide for his referendum and submit it to the people of the District of Columbia; but in one breath denouncing us for not having these things referred to the District of Columbia, in the next breath he announces that he is going to vote against the suspension of the rules.

Mr. President, I am going to come now to what I intended to say if I had had an opportunity yesterday, or to what I would have said already to-day except for my friend from North Carolina.

It is a significant fact, which I trust the country will not overlook, that not a Senator on either side of this Chamber rises in his place and defends the liquor traffic or points to any good that it does or ever has done. No industry can long exist under such a condition as that, especially an industry that exists to-day only by sufferance. But, as has been said, the real issue upon which the Senate is now to vote is not prohibition for the District of Columbia, but whether the Senate will permit itself to vote upon that question directly. By a majority vote the other day, which, Mr. President, the majority tomorrow, upon any other proposition, could reverse by a majority vote, it was decided that it will take a two-thirds vote to suspend the rules of the Senate so that the amendment proposed by the Senator from Texas will be in order when presented.

I do not share the pessimism of the Senator from Kansas [Mr. BRISTOW] or the Senator from South Dakota [Mr. CRAWFORD]. I will not believe until the vote is cast that one-third

of the Senate will say that a vote shall be denied by the Senate upon such a vital question as this. Every Senator who believes in prohibition will surely give the Senate an opportunity so to express itself. Every Senator who believes in the will of the majority being expressed in legislation will surely vote to give such majority a chance to express itself; and I do not now believe that one-third of the Senate is in favor of refusing the majority this right. We shall see and the country shall see whether the Senate itself will deny to itself the opportunity to vote directly and squarely upon the merits of this proposition, in which the people are interested as in no other question that has agitated the people of this country.

This amendment is in a sense germane to this bill. This bill deals entirely with the District of Columbia; and with all due respect to the opinion of the able Senator who now presides over this body, I do not believe the District of Columbia appropriation bill is a general appropriation bill within the meaning and intent of the rule that has been invoked in this case. It is not a general appropriation bill. We are sitting here as the common council of the District of Columbia.

The PRESIDING OFFICER. The speaker having referred to the Presiding Officer, will he permit the Presiding Officer to inquire, if that is the case, why he wants to suspend the rules?

Mr. JONES. Mr. President, I did not present or suggest this motion to suspend the rules, but I am glad to support the Senator who did. He submits it regularly and in accordance with the rules of this body. That issue has been presented. But I submit, in view of the suggestion made by the learned Senator from Montana, that this is not a general appropriation bill within the intent and meaning of the language of that rule. I believe in that rule. I believe that it serves a good purpose. I do not believe that means, however, that it never should be suspended, even in regard to general appropriation bills. But the argument that we should not now vote to suspend this rule because of the necessity of such a rule as that with reference to general appropriation bills is certainly weakened by reason of the fact that this is a bill that applies solely and only to the District of Columbia.

This bill provides for the maintenance of the government of the District of Columbia and the care of its people. The plea that this is legislation upon an appropriation bill does not have the force against this amendment that it would have against a bill covering the whole United States. This amendment relates only, as I said, to the District of Columbia. It involves a question that has been debated in this Chamber, and especially out of this Chamber, more than any other question that agitates the American people. Every Senator is thoroughly informed upon it and upon the conditions here, and has definite and certain views regarding it. If this amendment is made in order, we can discuss it just as ably and vote upon it just as intelligently as if it were presented in another bill.

I want to call the attention of some of those representing the liquor interests who have honored us with their presence in the gallery to-day to the fact that Senators have announced on this floor that while they are going to vote against the suspension of this rule they are with us on the proposition as a separate bill, and that not only do not Senators rise on either side and say anything good of this traffic, but they rise and indignantly repudiate what they think are suggestions that they are friendly to this interest, and assert that upon a separate bill they will vote in a way that will abolish this traffic; and such a bill will pass before very long, if not as an amendment here, then as a separate measure.

The Senator from Kentucky [Mr. JAMES] suggests that we should have a referendum. I shall be glad to meet that question when it comes up; and if, as I said awhile ago, he will vote to suspend this rule and make this amendment in order, then he will have an opportunity to submit that amendment, and we will gladly consider it, vote upon it, and pass it or reject it as the majority of the Senate may deem wise.

The conduct of the liquor interests in the District of Columbia fully justifies the action proposed to the Senate to-day. It has defied Congress; it has nullified its laws; it deserves no leniency at our hands. I have some facts that I want to call to the attention of the Senate which I believe will appeal to the fair and impartial judgment of the ambassadors of the sovereign States of the Union representing not only those States but the people of those States. In order to do this I must go back a couple of years; and now I am going to present some facts that I hope the Senators will consider, and that I think ought to be considered, while we are determining the action we must take with reference to this matter.

Two years ago we passed a general excise law for the District of Columbia. Why did we do it? We did it because for 19 or more years the District of Columbia had been going on

under a condition of things that was a disgrace to any city of the Union. Men and women had been knocking at the doors of Congress asking for legislation to better conditions. They did not come to the Senate and ask for a prohibition measure then. They came to us and asked that we might pass a law that would improve conditions, that would cut the saloons out of residential districts, that would take them away from the mouths of the slums and the dwelling alleys of this city, that would remove the great congestion which existed in certain localities, that would insure the better conduct of those places where the business was carried on, and that would limit the number of saloons. A subcommittee of the Senate Committee on the District of Columbia held hearings for a week. We looked into the conditions carefully, and we reported a bill, not an amendment, for passage through this body. That bill was passed as an amendment on the District of Columbia appropriation bill. We could not get unanimous consent for its consideration in this body. We did not ask to suspend the rules of this body. With reference to that measure we followed another course. We followed a course that the rules provide, just as the Senator from Texas has followed a course that the rules provide. The rules of this body provide that any point of order made to any amendment offered to an appropriation bill or otherwise may be submitted by the presiding officer to the Senate for its decision, on the theory, I suppose, that the Senate is an independent, self-governing body, and that whatever the Senate says it wants to do it can do. When the District of Columbia bill came up I offered that bill as an amendment to the District of Columbia bill. The point of order was raised. The presiding officer submitted the question to the Senate, and the Senate said: "It is in order," and adopted it, and it passed through this body as a part of the District of Columbia appropriation bill.

Why, Mr. President, did we take that course? We had passed it through this body. I was mistaken a moment ago. We had passed it through this body as a separate measure. We did get it up as a separate measure and passed it. The Senator from Utah [Mr. Smoot] says that makes a difference. No, Mr. President; the fact that a bill of general legislation has passed the Senate does not make it in order upon an appropriation bill per se; not at all. It may have some little influence with Senators, of course, and very properly so; but why was it, Mr. President, that we found it necessary to offer that bill as an amendment to an appropriation bill? I want to tell the Senate, and go just as far as I can in a parliamentary way to do so, and that will give one reason, at any rate, why it is necessary to place some of these things upon an appropriation bill.

We passed that excise bill through the Senate. It went to a committee of another body, and there it lay for almost a year. Why? I do not know, Mr. President, but the representatives of the liquor people said, and made their boasts, that that bill never should come from that committee. I do not charge that they used improper influences, but I state as a fact that, from the time the bill went into that committee until it was placed as a rider upon the District of Columbia appropriation bill, that committee never had a quorum to do business.

That is one reason why the Senate, in dealing with a question that relates to this traffic in the District of Columbia, must adopt methods of this kind in order to accomplish what they think ought to be accomplished. These men had made their boast that they had the bill killed; that it never could become the law. That is the reason why we proposed to put it upon the District of Columbia appropriation bill in the Senate. It was put on in the manner I have stated; and then, Mr. President, it may be unparliamentary for me to say that a special rule was brought in to be passed in another body in order to force that amendment to conference, but it failed of passage, and therefore I will not say it. [Laughter.] It may be unparliamentary for me to say that in another body, for days and even weeks, the District of Columbia appropriation bill was held up in the hope that they could secure enough votes to send that amendment to conference, where they hoped to kill it, and therefore I shall not say it. [Laughter.] Finally, Mr. President, it may also be unparliamentary for me to say that when they saw they could not get it into conference they agreed upon a substitute that carried all the important provisions of the amendment that we put on, and that then it was sent to conference with the understanding that it would be agreed to, and therefore I will not say it. [Laughter.]

That is the way, Mr. President, we had to proceed to pass the excise law of the District of Columbia which we have on the statute books now. That is the course we had to take to pass a regulatory measure.

Mr. President, what is wrong? Why the necessity for this legislation in view of that legislation? Well, Mr. President,

the results which have been brought about, under that law justify this action.

I wish to read a couple of resolutions which were adopted some time ago. One of the resolutions is by the headquarters committee of the Anti-Saloon League of the District of Columbia; and, my friend, these are the substantial people of this country. These are among the best men and the best women of this country. These are not men and women who are urging that we do nothing to curtail the traffic for which no man stands on this floor and says a good word. These are some of the men and women who are especially interested in the homes of the country and in the boys and girls of the country. Resolutions passed by them are worthy of consideration by this honorable body. What do they say? They say:

NOVEMBER 5, 1914.

At a meeting of the headquarters committee of the Anti-Saloon League of the District of Columbia, held at the office of the president of the league the afternoon of Thursday, November 5, 1914, the following resolution was adopted:

"Resolved, That in behalf of its constituency of churches and other local organizations of the best citizens of the District, the league indignantly protests against the recent grant by the excise board of 100 or more licenses contrary to the spirit of the Jones-Works law, and many of them clearly contrary to its letter."

Adopted by headquarters committee, November, 1914.

Then another resolution, adopted December 7 by the Anti-Saloon League of the District of Columbia, is as follows:

DECEMBER 7, 1914.

Whereas Congress, by enacting the Jones-Works excise law, endeavored to relieve the deplorable saloon conditions in the District of Columbia; and

Whereas the excise board, charged with the administration of said law, has apparently ignored every prohibitive section, in part at least, in the granting of licenses, excepting the one limiting the number of saloons to 300, and certain other sections fixing certain prohibition zones, such as the 1,000-foot zone around the navy yard and Marine Barracks grounds; and

Whereas wholesale licenses are being granted in residential districts; and

Whereas such actions of the excise board bid fair to lead to a great public scandal; and

Whereas the liquor traffic, neither here nor elsewhere, obeys the law: Be it

Resolved, That the Anti-Saloon League of the District of Columbia this 7th day of December, 1914, expresses its indignation at the existing conditions of excise affairs, and hereby announces its determination to work from now on for absolute prohibition as the only effective solution of the liquor problem in this District.

I have some facts here that I propose to present to the Senate which I think fully substantiate those resolutions, and which I think ought to be heard by Senators in reaching a determination as to what course they will take with reference to this proposition.

Mr. President, not for the purpose of hearing what I have to say, but for the purpose, if possible, of getting the facts to the Senators, who must pass on this proposition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Bankhead	Gore	O'Gorman	Smith, Ga.
Brandagee	Gronna	Oliver	Smith, Md.
Bristow	Hardwick	Owen	Smoot
Bryan	Hitchcock	Page	Stephenson
Burleigh	Hollis	Perkins	Sterling
Burton	Hughes	Pittman	Stone
Chamberlain	Jones	Ransdell	Sutherland
Chilton	Kenyon	Reed	Swanson
Clapp	Kern	Root	Thomas
Clark, Wyo.	La Follette	Saulsbury	Thornton
Clarke, Ark.	Lea, Tenn.	Shafroth	Tillman
Coit	Lee, Md.	Sheppard	Vardaman
Culberson	Lippitt	Sherman	Walsh
Cummins	Lodge	Shields	White
Dillingham	McLean	Shively	Williams
Fletcher	Nelson	Simmons	Works
Gallinger	Norris	Smith, Ariz.	

Mr. CLARK of Wyoming. I wish to announce the unavoidable absence of my colleague [Mr. WARREN]. I desire this statement to stand for the day.

Mr. GRONNA. I wish to announce that my colleague [Mr. McCUMBER] is unavoidably absent from the city. He is paired with the junior Senator from Kentucky [Mr. CAMDEN].

The PRESIDING OFFICER. Sixty-seven Senators have answered to their names. A quorum is present. The Senator from Washington will proceed.

Mr. JONES. Mr. President, as I stated, I called this quorum not that Senators might hear me speak, but in order that I might present some facts to them that I think will appeal to them in connection with the consideration of this measure. I wish to call their attention now to certain facts.

In the excise law that we passed under the conditions I have just described there is this provision:

No saloon, barroom, or other place wherein intoxicating liquor is sold at retail or wholesale, other than hotels and clubs, shall be licensed,

allowed, or maintained within 400 feet of any public schoolhouse, or a now located or established college, or university, or within 400 feet of any now established house of religious worship, measured between the nearest entrances to each by the shortest course of travel between such places of business and such public schoolhouse, college, or university, or established house of religious worship.

Mr. President, there have been allowed licenses for 18 saloons in violation of that provision of the law. I have here a list of these saloons. One of them is the saloon of John J. Allen, 807 North Capitol Street, by a careful measurement 397 feet from St. Aloysius Church. The saloon of Michael Daly, 1319 Seventh Street, 397 feet from the Church of the Immaculate Conception by long measurement, 347 by the shortest and most direct route, as provided in the statute. John D. O'Conner, 918 Ninth Street, 328 feet from the College of Pharmacy, 375 feet by the longer measurement. August H. Plugge, 1317 Seventh Street NW., 329 feet from the Church of the Immaculate Conception, 379 feet by the longer measurement, measured by right angles. Let me ask permission to insert this list in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered. The Chair hears none.

The list referred to is as follows:

The following-named saloon keepers were granted licenses for the year beginning November 1, 1914, for places located within 400 feet of houses of religious worship, public schoolhouses, colleges, or universities, according to measurements made by "the shortest course of travel" from entrance to entrance. Some are within the prescribed distance by longer measurements:

John J. Allen, 807 North Capitol Street, 397 feet to St. Aloysius Church.

Michael Daly, 1319 Seventh Street NW., 397 feet to Church of Emaculate Conception by long measurement, 347 feet to Church of Emaculate Conception by short measurement.

John D. O'Conner, 918 Ninth Street NW., 328 feet to College of Pharmacy, 375 feet longer measurement.

August H. Plugge, 1317 Seventh Street NW., 329 feet of Emaculate Conception Church, 379 feet by longer way (right angles).

John J. Brosnan, 506 Four-and-a-half Street SW., 364 feet to Jewish Church on E Street.

James J. O'Donnell, 333 Pennsylvania Avenue SE., 385 feet to Metropolitan Presbyterian Church.

Patrick J. McDonald, 643 Pennsylvania Avenue SE., 364 feet to Wallach Public School.

John G. Graff, 222 Seventh Street SE., 393 feet to Eastern High School.

W. J. and Jeremiah Costello, 600 G Street NW., within 100 feet of Greek Catholic Church.

Margaret Casey, 114 H Street NW., within 200 feet of public school.

John T. O'Day, 921 Ninth Street NW., 367 feet to College of Pharmacy.

John F. Schriener, 730 Fourteenth Street NW., 336 feet to New York Avenue Church, New York Avenue entrance; 375 feet to New York Avenue Church, H Street entrance (measured at right angles).

Mary T. Schulz, 607 G Street NW., within 200 feet of Greek Church.

John F. Killeen, 1314 Wisconsin Avenue NW., 364 feet of Dumbarton Avenue Methodist Episcopal Church.

Charles H. Morris, 2029 K Street NW., 330 feet of Stevens Public School.

Robert H. Snook, 825 Seventh Street NW., 389 feet of Calvary Baptist Church.

Frank C. Poch, 900 Four-and-a-half Street SW., 393 feet to public schoolhouse.

Hugh F. Harvey, 1913 Pennsylvania Avenue NW., 340 feet to Union Methodist Episcopal Church.

Mr. JONES. I wish to call attention to the last one on the list, and that is the saloon of Hugh F. Harvey, 1913 Pennsylvania Avenue NW., 340 feet to the Union Methodist Episcopal Church. I shall refer to Mr. Harvey a little later on.

Then, Mr. President, there is another provision in this excise law. It reads as follows:

Hereafter no license shall be granted for the establishment or maintenance of a barroom—

I invite the careful attention of Senators to the consideration of this language:

Hereafter no license shall be granted for the establishment or maintenance of a barroom or other place for the sale of intoxicating liquors, otherwise than in sealed packages and not to be drunk on the premises, in any residence portion of the District of Columbia; and it shall be the duty of the excise board to determine in the case of each application for license whether the location where the barroom is to be located is or is not within the business portion of the District, and if not the license shall be denied; and the excise board is hereby authorized and required to determine in each case what is so far devoted to business as to constitute it a business street or section.

Mr. President, when we framed that law we recognized the fact that it was pretty broad language, and that it gave this board a great deal of discretion in determining whether a section was a business section or a residential section. So in order to make certain the carrying out of what we had in mind we put in this language. Listen!

Provided, That no license shall be granted for any saloon or barroom on any side of any square, block, or tract of land where less than 50 per cent of the foot frontage, not including saloons or hotels and clubs having barroom licenses under this section, is used for business purposes; nor shall intoxicating liquors be sold at wholesale outside of the business districts as above provided.

In other words, Mr. President, the plain meaning of that language is that even if they say that a section is a business section they can not grant a license for a saloon or barroom

where less than 50 per cent of the frontage, without counting hotels or clubs, is occupied by business houses. What have they done? The excise board have adopted a proviso without any authority of law, saying, "Provided, This restriction shall not refer to clubs and hotels." What authority have they to legislate? The law says that no license shall be granted to a saloon or barroom under certain conditions. What have they done? They have granted licenses in violation of that provision to 62 sellers of liquor in the District of Columbia. I know one square of my own personal knowledge where a barroom license has been granted and where there is not a single business house fronting on the square except the drug store on the corner.

Mr. President, I do not know how many more are like that, but the statement I have has been prepared by those who have given the matter very careful investigation and study. I believe we can rely upon the statement they have prepared.

I ask that this list of 62 licenses granted in violation of this provision may be inserted without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

The list referred to is as follows:

The Anti-Saloon League's careful investigation shows that the following barroom licenses were granted for the license year beginning November 1, 1914, on nonbusiness streets or in residence districts, contrary to the evident intent and purpose of the law:

Louise Gordon, 407 Q Street NW.; Theodore G. Stoner, 206 Seventh Street SW.; John T. Bronson, 614 Eleventh Street SW.; Mary A. Solan, 1003 Seventh Street NW.; Paul Allen, 2 N Street NE.; Patrick Rafferty, 225 Eleventh Street NE.; Dennis J. O'Connell, 411 Four-and-a-half Street SW.; Gustave Brahler, 410 E Street NE.; Patrick J. Callen, 238 Second Street NW.; John Morris, 1610 U Street NW.; Peter Loftus, 329 Thirteenth-and-a-half Street NW.; Austin Loftus, 302 N Street NW.; John E. Mergner, 415 East Capitol Street; Daniel F. Driscoll, 107 H Street NW.; John J. Sullivan, 1331 Thirty-fifth Street NW.; Michael J. O'Donoghue, 701 I Street SW.; Metropolitan Club, 1700 H Street NW.; Army and Navy Club, 1627 I Street NW.; Patrick J. McDonald, 643 Pennsylvania Avenue SE.; Henry C. Hibbs, 2000 K Street NW.; Lena Morgenweck, 12 Fourth Street NE.; Thomas J. Leonard, Anacostia; University Club, 900 Fifteenth Street NW.; Anna A. E. Klotz, 1708 G Street NW.; Patrick O'Donoghue, 908 Fourth Street NW.; Bridget Leech, 1847 L Street NW.; Charles W. Edwards, 491 Missouri Avenue NW.; Daniel Scanlon, 105 H Street NW.; Stoneleigh Court, 1019 Connecticut Avenue NW.; David Cohen, 118 First Street NW.; Francis X. Cox, 1618 U Street NW.; John H. Harris, 15 Massachusetts Avenue NW.; Jeremiah Costello, 521 First Street SW.; The Partner apartment house, Fifteenth and U Streets NW.; Commercial Club, 1634 I Street NW.; Mary Sullivan, 73 I Street SE.; Daniel Doody, 1312 North Capitol Street; Mary E. Frank, 319 G Street NW.; Elks Club, 919 H Street NW.; Michael E. Buckley, 2028 M Street NW.; Hotel Gordon, 916 Sixteenth Street NW.; Congress Hall Hotel, 235 New Jersey Avenue SE.; Harry Winniger, 631 Pennsylvania Avenue SE.; John D. Kelliber, 1258 Water Street SW.; Washington Saengerbund (Inc.), 314 C Street NW.; Cairo apartment house, 1615 Q Street NW.; Capital Park Hotel, North Capitol and E Streets NW.; Luke J. Kearney, 1811 L Street NW.; Charles H. Morris, 2029 K Street NW.; Hugh J. McGinness, 1001 New York Avenue NW.; Charles Wolf, 1202 Water Street SW.; George F. Neitzey, 1106 Water Street SW.; John J. Madden, 401 Four-and-a-half Street SW.; Charles C. Leavens, corner New Jersey Avenue and C Street SE.; Walter Spauls, 2012 K Street NW.; William J. Boyle, 601 Massachusetts Avenue NW.; Patrick Smyth, 101 D Street SW.; The Monticello Club, 1301 Fourth Street NW.; Century Club, 815 Vermont Avenue NW.; Peter J. Lynagh, 523 Seventh Street SW.; Terminal Co., 44 G Street NE.; Hotel Bellevue, Fifteenth and I Streets NW.

Mr. SMOOT. Is there not a penalty attached to a violation of the law?

Mr. JONES. Certainly. Of course these people can be prosecuted, and I think they will be prosecuted, if we can ever get the legal machinery to work at it; but that is what has been done. I do not say what influences have brought it about, but it has been done. Every Senator here knows as well as I do how this business does things, how it works, how it influences. Here is another provision:

No saloon, barroom, or other place where intoxicating liquor is sold at retail shall be licensed, allowed, or maintained within 300 feet of any alleyway occupied for residences or of places commonly called slums, except upon the unanimous vote of all three members of said excise board.

Of course, Mr. President, they do not violate the law when the three members of the excise board grant a license for the location of a saloon in a case like that. Yet they knew what this law was passed for. They knew what that provision was inserted in it for. They knew that there are some perfect hell holes in the city of Washington which are a disgrace to the Nation's Capital, where men and women are huddled together under conditions and surroundings that can not be described; that they are made the prey of the vultures of commercialism; that saloons have been located at the entrance to these compounds, if you please, places where there is only one entrance and one egress, and these saloons have been located at the mouths of these entrances. We sought to drive them away. We endeavored to avoid the provision for the unanimous action of the board, but we could not get that, so we had to accept this provision; and we did it in the hope that the men who administered the law would seek to remedy the conditions that we sought to prohibit. What have they done? They have granted 28 licenses inside of 300 feet of these alleys and slums

of the District of Columbia. They have not violated the law in doing it, but they have violated the spirit of the law and they have thwarted the intention of Congress in regard to it.

I ask that this list of licenses granted within 300 feet of inhabited alleys be printed in the RECORD.

The PRESIDING OFFICER. Without objection, that order will be made. The Chair hears none.

The list referred to is as follows:

The following barrooms were licensed for the year beginning November 1, 1914, within 300 feet of inhabited alleys:

John P. Sheehan, 701 North Capitol Street; Michael McInerney, 1226 Seventh Street NW.; Terence Fegan, 930 Fourth Street NW.; Leopold Birkle, 1245 H Street NE.; Jeremiah O'Connor, 115 Four-and-a-half Street NW.; William E. O'Connor, 234 Four-and-a-half Street SW.; Michael J. Lynch, 350 Pennsylvania Avenue NW.; William Doyle, 1218 Wisconsin Avenue NW.; George P. Harrigan, 729 Ninth Street SW.; James O'Connor, 1429 North Capitol Street; George W. Hall, 927 Four-and-a-half Street SW.; William Hanlon, 1235 Seventh Street NW.; Stephen Chaconas, 468 Pennsylvania Avenue NW.; Daniel J. Alman, 244 Fourteenth Street SW.; Patrick F. Neligan, 1908 Fourteenth Street NW.; John M. Trant, 629 Four-and-a-half Street SW.; Gregor Kramm, 224 Fourteenth Street SW.; Minnie E. Costello, 45 H Street NE.; John E. Bonini, 729 North Capitol Street; Kate H. Welch, 248 Third Street SW.; Maurice Ganey, 615 Seventh Street SW.; Patrick J. Bligh, 235 Four-and-a-half Street SW.; Patrick J. Daly, 626 Four-and-a-half Street SW.; Francis J. Stanton, 1205 Wisconsin Avenue; Michael T. Greene, 639 D Street SW.; William J. O'Leary, 733 North Capitol Street; William T. Babbington, 34 H Street NE.; Thomas Cannon, 1358 H Street NE.

Mr. JONES. Then, Mr. President, there is another provision in this law:

No saloon, barroom, or wholesale liquor business shall be licensed, maintained, or allowed in the territory west of the following lines—

Listen!

The westerly line of the fire limits as now established—

I want Senators to consider this language:

No saloon, barroom, or wholesale liquor business shall be licensed, maintained, or allowed in the territory west of the following lines: The westerly line of the fire limits as now established from its southerly limits to where the same intersects with the mile limit of the Soldiers' Home; thence westerly and northerly along the said mile limit until the same intersects with Kansas Avenue; thence along Kansas Avenue to its intersection with the northern boundary of the District of Columbia.

What was done, Mr. President? Just as soon as that law was passed, with a provision in it that it shall not take effect until, I think it was, the 1st of July, or five or six months afterwards, what was done? Somebody started out to move the fire limits of this territory. Why? They got some legal opinion of some kind from somebody that the words "as now established" did not refer to the date of the passage and approval of the law, but that they referred to the time, five or six months ahead, when the law should take effect. So they said: "If we can get the fire limits as described in the act changed we will save some saloons which now exist."

Senators, what do you think of a proceeding of that kind? What did we intend when we passed that act? Did we intend to say that in the district beyond some line hereafter to be fixed and hereafter to be established there shall be no saloon? What did we mean by the term "as now established"? We could have had nothing else in mind, Mr. President, except the fire limits of this city as they were at the time of the passage and approval of the law. Did they succeed in getting the fire limits changed? They did. The fire limits were changed, and they were extended so as to include within their limits two or three of the most disreputable establishments in the District of Columbia. One of them was located at the end of the Aqueduct Bridge, at Georgetown, where men and women going to and from the State of Virginia, going to and from work in the District of Columbia, were compelled to pass by and through its evil influences.

What did the excise board do? Did they grant licenses within the new limit so established? They did not have to do it. They could have refused to grant such licenses. If not within the terms of the law, they would have been clearly within the spirit and intent of it. Did they refuse to grant licenses to the saloons that Congress had almost in so many words said should not exist? No; they granted licenses for those saloons. They winked at, aided and abetted, and made effective this fraud upon the law they had sworn to enforce.

I will say, Mr. President, in justice to the excise board, that they got the opinion of the corporation counsel of the District of Columbia, and that his opinion in that case held that the limit established by Congress was the fire limit when the law went into effect and not under the language at the time it was passed and approved. So they had a legal opinion to sustain them in that proposition; but they did not have any compelling statute anywhere to compel them to grant such licenses, though the corporation counsel said they had a right to do it. I am glad to say that that question is now in the court, and that the court has intimated very strongly that there is scarcely any room for construction, but that Congress meant and described a

specific line which existed when the law was passed and that no outside influence could in fact legislate for Congress. The board should not have hunted for legal quibbles to nullify the law. The very action taken to defeat its very evident purpose should have led them to deny these licenses. They seem to think they are the guardians of the liquor business rather than the conservators of the well-being of the people of the District.

Now, we put this provision in this law:

Said board shall consider and act upon all applications for license to sell intoxicating liquors, and may require a report thereon by the chief of police, and the action of said board shall be final and conclusive.

We did not provide there, of course, that they must follow the recommendation of the chief of police. We tried to get that provision in, but we could not pass the bill with it, and we had to except that provision. But what is the purpose of it? What would we naturally expect of men trying to carry out the spirit of the law that was passed to better conditions in the District of Columbia? Would you not expect them to follow the report of the men who have to enforce the law, men who know more about these places—how they are conducted, the character of the men who conduct them—than anybody else? Yet what was done. Listen, Mr. President.

About two years ago a man by the name of Edward J. Gardner was the proprietor of the Grand Hotel. It is located just across from the New Willard, just beyond Poli's Theater. He had a license to run a barroom in connection with that hotel. He maintained a beer garden in the basement. Many women frequented this place. He was arrested for selling and dispensing liquors to a minor, a girl not more than 18 years of age. He was convicted of dispensing liquors, but not of selling it to a minor. The trial court refused to enter an order of revocation of his license. An appeal was taken to the court of appeals; the lower court was reversed and the license was revoked.

What did he do? He formed a corporation, he holding the controlling interest in it. He became its manager and its treasurer. He applied for a license for the corporation, and the license was granted. He reopened his beer garden and has continued since in the usual objectionable way, according to the best information that we can get. The new excise board has renewed his barroom license; and now listen: The license this year was renewed in spite of a protest and a severe adverse report upon the application to the excise board by the captain of the police precinct. This is what the captain of the police precinct says about this application. This report was dated August 22, 1914, and is a matter of record:

The manager, Edward L. Gardner, conducts a garden in the basement of this hotel, where they have music and singing; dancing is allowed on a platform set aside for that purpose. This is a resort for street walkers and women of questionable character, and the result is a meeting place for men and women. In my opinion these conditions are objectionable in connection with a bar and should be eliminated.

J. L. SPRINKLE,
Acting Captain, First Precinct.

Mr. President, in the face of that fact a license was granted for that place. It is said, I do not know how true it is, that the police officer was reprimanded.

There is another instance I now want to give you. John H. Gordon had a license for a barroom at 407 Q Street in the northwest. He died February 13, 1914. Under the law his widow, in order to have the license transferred to her, should have made an application within 30 days. She did not do so; she made an application on the 25th day of April, 1914. A hearing was had before the board on May 19, 1914. The saloon was running all the time contrary to law. The board got the opinion of the corporation counsel. The corporation counsel said they had no right to run it; that the 30 days had expired. Did they close it up? Did the board reject the application? They did not act on it until when? Under date of June 26 a letter was written by Andrew Wilson, president of the Anti-Saloon League, to Hon. Frederick L. Siddons, Commissioner of the District of Columbia, asking that he take the matter up and see if he could not get the board to reject this application. Then it was rejected, and not until then. Mr. President, I ask permission to have the letter, which I hold in my hand, printed in the RECORD.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and permission is granted.

The letter referred to is as follows:

JUNE 26, 1914.

Hon. FREDERICK L. SIDDONS,
Commissioner of the District of Columbia,
Washington, D. C.

DEAR MR. COMMISSIONER: Your attention is respectfully called to the continued violation of the excise law at 407 Q Street NW. This place is undoubtedly being run without a license.

It appears John H. Gordon had a license for a barroom at said place. Mr. Gordon died February 13, 1914. On April 28, 1914,

Louise Gordon, the widow, made application for a transfer of the license from the estate to herself. Under the law no transfer could be permitted after the expiration of 30 days from the date of John H. Gordon's death. A hearing on the application was had before the excise board May 19, 1914. Many cases have been heard and acted upon since that hearing, and yet no decision in that case. This is all the more remarkable because, in addition to the plain provisions of the law, the corporation counsel has filed an opinion in the case. If the excise board can permit the violation of the law in this case, the same course can be pursued in any number of cases.

Not only as president of the Anti-Saloon League, but also as a citizen and as the owner of four houses in that general locality, I request that, as the commissioner in charge of the Metropolitan police, you close the said saloon at 407 Q Street NW. by taking whatever measures may be necessary and proper to accomplish the purpose.

Very respectfully, yours,

ANDREW WILSON.

Mr. JONES. In response to the above complaint Commissioner Siddons acted promptly, through the corporation counsel, and within a few hours the application was refused and the saloon closed.

Mr. President, here is another instance to which I wish to call the attention of the Senate. It shows what is done and what influences are brought to bear in connection with this business. On the first board there was appointed a gentleman by the name of Joseph T. Sheehy, an attorney of this District. It was thought that he was a man of high standing and high character. He served on the board for a while, long enough to get certain rules adopted, and then he resigned. What did he then do? He became the attorney before the board to act for those people desiring licenses and transfers of licenses. What use would anybody have for an attorney in such a case? The law prescribes the conditions under which licenses shall be issued or transferred. It does not seem as though the services of an attorney would be worth anything, and yet Mr. Sheehy's services seem to have been needed to secure certain action by the board. How valuable were the services of Mr. Sheehy considered in securing the transfer of a license—not in the granting of a license but in securing the transfer of a license? One man who desired a transfer of his license from the place where it was to another place entered into a contract to pay \$5,500 to secure such a transfer, and Mr. Sheehy was one of his attorneys.

What was the purpose of agreeing to pay Mr. Sheehy \$5,500 to secure the transfer of a license? Was that to pay him for legal services or was it to be used in some other way? I do not know, but I have my ideas about it. I do not see how the human mind can reach but one conclusion as to why they agreed to pay him \$5,500. Do you have any doubt about this agreement? Do you have any doubt about this contract? If you have, I desire to say that in the Washington Law Reporter, volume 42, page 743, is a decision by the Supreme Court of the District of Columbia in a case entitled "William F. Columbus, plaintiff, against Joseph C. Sheehy, defendant," wherein this contract is set out.

How did it happen to get into court? It happened in just this way: Mr. Sheehy and another lawyer had a contract with the man wanting a transfer. Mr. Sheehy got \$2,500 and the other lawyer got nothing. He thought Mr. Sheehy ought to divide, and he brought suit against him for his part of the \$2,500 that had been collected. Here is the decision holding, of course, that such a contract as that is absolutely void and against public policy. Mr. Sheehy got the \$2,500; the man got the transfer of his saloon license; and the other man brought the matter into court, so that we get the facts. Mr. President, I ask that this decision may be printed in the Record.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

The decision referred to is as follows:

SUPREME COURT OF THE DISTRICT OF COLUMBIA—WILLIAM F. COLUMBUS, PLAINTIFF, V. JOSEPH C. SHEEHY, DEFENDANT.

ATTORNEY AND CLIENT; CONTINGENT FEES; PUBLIC POLICY.

1. A party having a claim against an individual or against the Government may lawfully agree with attorneys for a contingent fee to be paid the latter for services in prosecuting such claim.

2. Where, however, the services to be rendered by the attorneys are to consist in securing the transfer of a liquor license from one location to some other, and the agreement is for a contingent fee to be paid upon success in securing such transfer, the contract is against public policy and is therefore void.

3. Where in an action by one of the attorneys so employed against the other to recover one-half of payments made by the client to defendant on account of such fee, held that the invalidity of the contract sued upon appearing from the affidavit of plaintiff no recovery could be had thereunder and judgment entered for defendant.

At law, No. 57265. Decided November 6, 1914.

Hearing on a motion for judgment under the seventy-third rule. Judgment for defendant.

Mr. L. A. Bailey for the plaintiff.

Mr. F. J. Hogan and Mr. D. W. Baker for the defendant.

Mr. Justice Stafford delivered the opinion of the court:

The cause was heard upon the plaintiff's motion under the seventy-third rule for judgment in his favor for the amount claimed in his

declaration upon the ground that the affidavit of defense, if true, is insufficient to defeat the plaintiff's claim in whole or in part.

An examination of the declaration and fortifying affidavit shows that the plaintiff is attempting to enforce a contract that is clearly void as against public policy. Both the plaintiff and the defendant are practicing members of this bar. Prior to May 4, 1914, one McCarthy, a proprietor of a barroom license in the District of Columbia, requested the plaintiff to secure the transfer of said license to another location, the place to which said license then applied being in a restricted district, under the terms of the excise law. Thereupon the plaintiff invited the defendant to join with him in the tendered employment. The defendant accepted the invitation, and the plaintiff, the defendant, and McCarthy all subscribed a contract in the following words:

"Fee agreement, made this 4th day of May, 1914, between Dennis J. McCarthy, party of the first part, and William F. Columbus and Joseph C. Sheehy, parties of the second part, is as follows:

"1. The party of the first part hereby employs the parties of the second part to represent him before the excise board of the District of Columbia in the matter of his application for a transfer of his license from No. 332 Fourteenth Street SW. to the ground floor of the Evans Building, or elsewhere.

"2. The party of the first part shall pay the parties of the second part a retainer of \$500 and an additional fee of \$5,000 should his license be transferred to the ground floor of the Evans Building or elsewhere.

"3. The parties of the second part accept the employment aforesaid and will endeavor to secure the transfer of the license of the party of the first part."

Thereupon McCarthy paid the \$500 retaining fee called for by the contract and the same was divided equally between the plaintiff and defendant. After the public hearing on the application for the transfer before the excise board, the plaintiff and defendant both participating therein, the board granted the transfer. Thereafter defendant collected \$2,500 of the \$5,000 contingent fee from McCarthy and refuses to divide the same with the plaintiff. The plaintiff finding himself unable to collect of McCarthy now seeks to recover in this action one-half of the \$2,500 collected by the defendant, upon the theory that they were equal partners in the business, and that anything collected by either must be equally divided between the two. It will not be necessary to consider the sufficiency of the defendant's affidavit, but it may be fair to state that his position seems to be that he was to have his fee of \$2,500 whether the plaintiff received anything or not.

The question to be decided by the excise board was one to be determined in the public interest. McCarthy had no legal right to have his license transferred. (See the excise law, 37 Stat., 997.) McCarthy was not in the position of a claimant seeking to enforce a legal right, and who might therefore employ attorneys upon a contingent fee. His position was more analogous to that of the defendant in *Haselton v. Miller*, reported under the name of *Haselton v. Sheekells* (202 U. S., 71), who had a parcel of real estate which he wished to dispose of to the Government, or like the parties in other cases referred to in that opinion who wished to secure contracts with the Government. In such cases it is well settled that a contract to pay an attorney a contingent fee for securing the contract or the purchase of the plaintiff's property by the Government is void, as against public policy, the reason being that it is of evil tendency in that it naturally tempts the attorney to the use of improper means to accomplish his client's purpose. In the present case, the amount of the contingent fee, \$5,000, is so disproportionate to any legitimate legal services to be rendered as to furnish an additional reason for holding the contract to be one of evil tendency. The invalidity of the contract does not depend upon the question of the character of the services actually rendered or agreed to be rendered, but results from the fact that its natural tendency is to prompt efforts which are against the public interest. In the *Haselton* case, the court assumed that the services were legitimate, but struck down the contract for the reason above stated, remarking that the court would not inquire what was actually done, inasmuch as the arrangement "necessarily invited and tended to induce improper solicitations and intensify the inducement by the contingency of the reward."

It is undoubtedly legal for parties to stipulate for a contingent fee to be paid for services in prosecuting a plaintiff's claim against an individual or against the Government, but in such cases the claim is a demand of some matter as of right. The present case does not belong to this class. In the class of cases to which this does belong the plaintiff has a right to employ an attorney to represent him and has a right to pay such an attorney for his services, but he has not a right to do so upon a contingent fee for the reason above stated. The brief filed for the plaintiff proceeds upon the theory that wherever the plaintiff has a right to employ a paid attorney he has a right to engage the attorney upon a contingent fee. A manufacturer would have a right to employ and pay an attorney to appear before a committee of Congress and show such reasons as he could why a certain duty should be imposed upon the class of goods manufactured by his client, but certainly he could not employ the attorney upon a contingent fee. In our view the present case falls within this class.

It may be urged by the plaintiff that judgment can not be rendered against him upon his own motion because the proceedings under the seventy-third rule are merely collateral and are to determine whether or not the plaintiff is entitled to summary judgment. In answer thereto it must be said that the contract in question is illegal. The plaintiff by his motion refers not only to his own declaration, but also to his affidavit in support thereof. As soon as the court perceives the illegal nature of the contract it is in duty bound to dismiss the suit. The plaintiff by his own affidavit puts himself out of court—by his own solemn oath in laying the contract before the eyes of the court. It seems unnecessary to cite authorities in support of such a proposition, but in the case of *Oscanyan v. Arms Co.* (103 U. S., 261) an officer of the Turkish Government was employed on a commission by an American corporation to sell its products to the Turkish Government through his influence with its officials. The nature of the contract appeared upon the opening statement of the plaintiff's counsel to the jury, and the court at once directed a verdict for the defendant. Of that action the Supreme Court says:

"So in a civil action, if it should appear from the opening statement that it is brought to obtain compensation for acts which the law denounces as corrupt and immoral or declares to be criminal . . . the court would not hesitate to close the case without delay."

Later on, in the same case the court says:

"Here the action is upon a contract which, according to the view of the judge who tried the case, was a corrupt one, forbidden by morality and public policy. . . . Assuming for the present that such was a sound view, the objection to a recovery could not be obviated or

waived by any system of pleading, or even by the express stipulation of the parties. It was one which the court itself was bound to raise the interest of the due administration of justice."

In the case of *Coppell v. Hall* (7 Wall., 542) a suit was brought upon a contract whereby the plaintiff, a neutral, had agreed with the defendant, a citizen of one of the belligerents to protect with his neutral name shipments made by the defendant into the other belligerent State, where trade between citizens of the belligerents was forbidden. In reversing a judgment given in favor of the plaintiff after a waiver by the defendant of the point of illegality, the court said:

"Whenever the illegality appears, whether the evidence comes from one side or the other, the disclosure is fatal to the case. No consent of the defendant can neutralize its effect."

In thus rendering judgment in favor of the defendant, on the motion of the plaintiff under the seventy-third rule, we are not departing from the decisions of the court of appeals in regard to cases arising under said rule, for those decisions were not rendered in cases in which the contract sued upon was illegal from its inception: *Lawrence v. Hammond* (4 D. C. Ap., 467, 473-474; 22 Wash. Law Rep., 749), *Bailey v. D. C.* (4 D. C. Ap., 356, 370; 22 Wash. Law Rep., 735), *Booth v. Arnold* (27 Ap. D. C., 287, 291; 34 Wash. Law Rep., 289), *Thompson v. Custis* (35 D. C. Ap., 247, 250.) In fact, the same court said in *Brown v. D. C.* (29 Ap. D. C., 273, 281; 35 Wash. Law Rep., 163):

"The opening statement * * * admitted a fact that discharged all possible right of recovery in the action. It was in the interest, therefore, of the speedy administration of justice to act upon the admission when deliberately made and avoid the delay that would be caused by the production of the evidence."

It is unnecessary to pursue the subject further. The plaintiff stating that he can not amend, judgment must be rendered for the defendant. "In pari delicto potior est conditio defendentis."

Mr. JONES. Now, Mr. President, I want to give you some more facts.

Mr. LODGE. Mr. President, will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Massachusetts?

Mr. JONES. Certainly.

Mr. LODGE. Who appoints the excise board that the Senator from Washington is describing?

Mr. JONES. The President appoints them; we provided that in the excise law; but I do not make any reflection on the President. The President appointed these men, and the Antisaloons League examined into the matter as fully as they had an opportunity, and said, while the appointees were not entirely satisfactory, they seemed to be fairly good men. We thought we would get a fairly good administration of the law, but the facts that I have given simply show the influences that this traffic brings to bear upon men who are to administer the law. They show the power of these influences, and they show the ineffectiveness of regulation where you must give discretion to executive officers.

Mr. GALLINGER. Mr. President, with the Senator's permission, I will ask if the President did not appoint two members of that board, and, when their characters were called to his attention, were the names not withdrawn?

Mr. JONES. He did so very promptly; and I wish he had withdrawn the others. I should say that one of the names was withdrawn not because of the character of the appointee, but because he had been a most open and determined opponent of the law.

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Utah?

Mr. JONES. Yes.

Mr. SMOOT. I wish to call the Senator's attention to paragraph 12 of the excise liquor law of the District of Columbia, in which I find this provision:

PAR. 12. That any person, company, copartnership, corporation, club, or association manufacturing, selling, offering for sale, keeping for sale, trafficking in, bartering, exchanging for goods, or otherwise furnishing any intoxicating liquors in the District of Columbia, without first having obtained a license as herein provided, or shall manufacture, sell, offer for sale, keep for sale, traffic in, barter, exchange for goods, or give away intoxicating liquors in any part, section, or district of the District of Columbia wherein the same is prohibited by law, upon conviction thereof shall be fined not less than \$250 nor more than \$800, and in default in the payment of such fine be imprisoned in the District jail or workhouse for not less than two months nor more than six months.

Does the Senator from Washington know whether or not there have been any complaints made against these persons who have obtained licenses contrary to the excise law of the District?

Mr. JONES. I am informed that the office of the corporation counsel say they hope to begin proceedings in four or five or a half dozen of these cases before very long.

Mr. SMOOT. But the Senator does not doubt for a minute that the 62 cases and the 18 cases which he has cited could be prosecuted under paragraph 12 of the law which I have just quoted?

Mr. JONES. No; I do not, and they ought to be prosecuted. It ought to be done promptly, but that is the trouble we have with reference to these regulative measures. Then they have all sorts of defenses under the technical terms of the law which they present, rendering practically inefficient and ineffective a

regulative measure which I think is really a model regulative measure.

Mr. CLAPP. I want to say that the committee, of which the Senator was one of the leading forces, were unusually fortunate and farsighted in making it plain that not only would a man be subject to prosecution if he sold without a license, but even if he obtained a license, and the regulative features were ignored, he would be subject to prosecution, so that there is no escape for those who are actually and openly selling contrary to law.

Mr. JONES. Not if we can get them prosecuted.

Mr. President, I want to call your attention to the fact that the excise board has winked at a deliberate evasion of the law, and then I want to ask the Senate whether or not you are going directly or indirectly to appear to indorse the action that was taken in this case?

On Pennsylvania Avenue, or rather on E Street, I believe, right where E Street comes into Pennsylvania Avenue, between Thirteenth and Fourteenth Streets, when the excise law was passed and went into effect there were five saloons. Under the new law only three of those saloons could continue. Two of them, under the terms of the law, had to go out of business. The five saloons there were run by Miller, Gerstenberg, Shoemaker, Engel, and Bush. As I have said, two had to go. This had to be done by the 31st of October. On the 30th day of October the excise board said that Engel and Miller must go, and directed the assessor to prepare licenses for the other people. On the morning of the 31st of October some authority came from somewhere, some influence came from some source, and Bush had to go and Engel came back. The license of Bush was destroyed, while Engel was granted his license. I should like to know what that influence was. I should like to know where it came from. I should like to know whether it came through a \$5,000 attorney fee or whether it came from some other source. I do not know.

But, Mr. President, that is not all. A few days after Mr. Miller closed up his place, what did he do? He applied for a license for a bar in the same building where he had been conducting his business, but as fronting on Fourteenth Street and not on E Street. The license was granted. The entrance on E Street was closed, and an entrance on Fourteenth Street made, and the saloon is now carried on in the same building in the same room, with the bar in the same place where it was before. That may not be a technical violation of the law, although I think it is. But it is worse than a violation of the law. It is a perversion of the law; it is a setting at naught of the plain provisions of the law and the plain intention of Congress.

Mr. President, the conduct of this board has been such as to call forth a letter which, if without foundation, would be one of the most insulting letters that could be sent to an administrative body; but it was sent by a man of responsibility, a man of character, a man of standing, and there has not been any indignation manifested at its contents. I want to read it to the Senate. Here is the letter, dated October 26, 1914, addressed to the honorable the Excise Board, Washington, D. C.:

GENTLEMEN: One of the grave questions confronting us in relation to excise matters in this District is how to justify what has been done when called upon so to do by legally constituted authority or by the citizens of the District of Columbia responsible for the Jones-Works law. In some instances it is respectfully submitted that some of us, though in close touch with the situation and presumed to know, are unable to commend what has been done.

Let me illustrate—

Mr. President, what I am going to read just now is a new fact which I have not presented, but one which can be fully established—

How can we explain why Thomas Raftery was permitted to transfer after the evidence produced before you showed that he had, in fact, paid for the destruction of protests when the law requires you to consider protests? What comment can we make upon the statement made by a member of the board immediately after that evidence was produced in the Raftery case—

That is, evidence showing that he had paid for the destruction of protests—

to the effect "now that you have the evidence what does it amount to? It amounts to nothing."

Mr. President, does it not show something as to the character of the man applying for a license? If he will pay money to have protests destroyed, what is it he will not do in order to accomplish his purposes? And what of an excise board that will countenance such conduct?

After the hearing in the Ebbitt House case, where certain contradicted testimony showed a state of affairs shocking to the moral sense, it is said the chairman of your board stated, in substance, what another member said in the Raftery case, and further indicated that such testimony would be given no consideration, to which statement by the chairman Mr. Baker said "Amen, amen!" Are these expressions given at the very time by a majority of the board to be taken as the moral standard of such officials? What other conclusion is possible? If such is the moral standard, what have the various cooperating

forces responsible for the enactment of this law to hope for in its administration?

The Evans Building case will not down—

That is the case where a fee of \$5,500 was agreed to be paid—

A prominent citizen, who might in some contingencies have occasion to deal officially upon certain phases of it, in referring to the attorney's fee in that case, said, "The human mind can reach but one conclusion." A prominent lawyer, not identified in any way with the Antisaloons League, spoke to me of excise conditions and referred to them as being a public scandal. He did not specify the particulars, and was not asked for them. In this same case an eminent jurist said, "It was a great mistake to permit that place to have a license." Another eminent jurist here said to me, "It is the utmost folly for the United States to permit saloons to exist." Numerous nonofficial citizens have expressed their views in strong terms in this case. There is not the least doubt the board could have avoided all this comment by refusing the transfer—

They were not compelled to grant a transfer—

The applicant's attitude may be easily surmised. He certainly would not have agreed to pay what he did unless he thought he would get his money's worth. An attorney for the liquor interests recently stated in my office that the attorneys in that case had often done more work for \$10 than they did in that case. Then why such fees? Before the transfer was granted, I wrote to you and asked that you investigate. You replied, but you did not investigate, and you did grant the transfer. There are many other stories of large fees, in some instances much larger than the Evans Building case, and the insinuations are quite as unpleasant.

Then the writer refers in this letter to some of the facts to which I have already alluded in my remarks. I shall not take the time of the Senate to read the remainder of the letter, but will ask that I may put it in the RECORD, remembering that this is a letter addressed to the excise board.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and the permission is granted.

The remainder of the letter is as follows:

Upon what theory can we explain the open bar at 407 Q Street NW., where no license was in existence from March 15, 1914, to June 27, 1914?

How can we explain the apparent attitude that the shortest course of travel is not the most direct route across a public right of way? In the opinion of many a contrary holding would not only be unjustifiable in law but must subject the board to criticism which could be avoided by the board. A contrary holding, in my opinion, would be a violation of the act which you have sworn to support.

In one instance, it is reliably reported, the board took the attitude that Congress had inadvertently omitted to state that clubs could be licensed in residential districts, and that the board would supply the omission.

You had before you an expression of the view of a man whose name the law bears as to the intention of Congress on the question of fire limits in the western section of the city. The ruling was in favor of the liquor interests. There is no law to compel you to grant any license in that disputed zone.

The authors of the law are grievously disappointed because the inspector provided by law has not inspected saloons in the sense in which saloons should be inspected. For this the inspector is not responsible.

We have to deal with a traffic whose attributes are so well known that characterization is useless. Certain evidences have been presented to you. It has been powerful enough to secure the removal of police officers who were not desired and has persistently violated the law.

Upon one occasion, in a statement before the board, I took the liberty of quoting from certain eminent authorities named by me, only to be told a few hours afterwards that a member of the board stated that I certainly did not believe what I had said in that statement. Notwithstanding that experience, I am now going to ask your indulgence while I quote from legal authorities on the rules of construction. I do this because of the importance of the matters before you and because when excise affairs in this District are sifted to the bottom by competent authority, as now seems probable, it may not be said that the rules of statutory construction were not presented to you.

In Heydon's case (3 Rep.) it is stated that it was resolved by the barons of the exchequer as follows:

"For the sure and true interpretation of all statutes in general, be they penal or beneficial, restrictive or enlarging of the common law, four things are to be discerned and considered:

"First. What was the common law before the making of the act?

"Second. What was the mischief and defect for which the common law did not provide?

"Third. What remedy the Parliament hath resolved and appointed to cure the disease of the Commonwealth.

"Fourth. The true reason of the remedy.

"In construing a statute the courts may recur to the history of the times when it was passed in order to ascertain the reason for its passage, as well as the meaning of its provisions." (United States v. Union Pacific R. Co., 91 U. S., 72.)

"In *Platt v. Union Pacific Railroad* (99 U. S., 48, 64) it was said: "But in endeavoring to ascertain what the Congress of 1862 intended we must, as far as possible, place ourselves in the light that Congress enjoyed, look at things as they appeared to it, and discover its purpose from the language used in connection with the attending circumstances."

In *Siemens v. Sellers* (123 U. S., 276, 285) the court said: "No doubt the words of the law are generally to have a controlling effect upon its construction; but the interpretation of these words is often to be sought from the surrounding circumstances and preceding history."

In the case of the *Church of the Holy Trinity v. United States* (143 U. S., 457-463), Mr. Justice Brewer, in delivering the opinion, said: "Again, another guide to the meaning of a statute is found in the evil which it is designed to remedy; and for this the court properly looks at contemporaneous events, the situation as it existed, and as it was pressed upon the attention of the legislative body. . . . It appears also from the petitions and in the testimony presented before the committees of Congress,

Sincerely, yours,

ANDREW WILSON.

Mr. LA FOLLETTE. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from Wisconsin?

Mr. JONES. Certainly.

Mr. LA FOLLETTE. Will the Senator from Washington give us the names of the excise board?

Mr. JONES. There is a Mr. Baker, a Mr. Smith, and Mr. Bride. Those gentlemen compose the board.

Mr. President, a petition or resolution was presented here yesterday from the Chamber of Commerce of the City of Washington protesting against this proposed legislation. What is the ground of their protest? They do not say anything in behalf of the business; they do not say any good word for the business; but what do they say? Oh, they say we ought not to put legislation on an appropriation bill. Since when have they become so interested about putting legislation onto appropriation bills? We have been doing it year after year and we have never heard from them any such protest. Mr. President, how was the passage of this resolution secured? Here is how it was secured: I have the Washington Times giving an account of this matter, and here is the way it reads:

Merchants send protests to Senate. Chamber of Commerce votes against prohibition and similar rider legislation. Members of the Senate to-day received . . . a vigorous protest—

Then the resolution is quoted, and following that occurs the following:

In introducing his resolution Mr. Harvey said—

Mr. Harvey introduced this resolution. Who is Mr. Harvey? Mr. Harvey is the representative of the Retail Liquor Dealers' Association of the United States, located in the city of Washington, and he is the Mr. Harvey whose name I read a moment ago as having secured a liquor license for the running of a saloon less than 400 feet from a church, contrary to the law. He is the spokesman for the chamber of commerce, the respectable business men of the city of Washington. Mr. Harvey appeared before our committee two years ago as the attorney for and as representing the liquor interests. He stayed there every day and every hour and every minute. He is a very affable, a very pleasant, and a very able gentleman. I will say that for him. He holds a liquor license contrary to law. He introduced a resolution in the Chamber of Commerce of the City of Washington; and what does he say when he introduces it? He is quoted as saying this:

The people of the District have not asked for this legislation—

Why, Mr. President, you know and I know that highly respectable, strong, and powerful organizations, as well as citizens of the District of Columbia, have been asking for this legislation for years—

It is being foisted upon us by persons the majority of whom have not a dollar's worth of property in this community. Our interests have not been consulted in any manner.

Why, Mr. President, we have been dealing with their interests for some time.

Mr. WORKS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from California?

Mr. JONES. Certainly.

Mr. WORKS. I should like to ask the Senator from Washington if he knows how many members of the Washington Chamber of Commerce are engaged in the liquor business?

Mr. JONES. I do not. I do not know what we have a right to assume from this action.

The Jones-Works bill, the present excise measure, has only been in effect a few months—

Says Mr. Harvey—

and consequently has not yet had a fair trial—

Yes; I know it has not had a fair trial. Nobody has done more to prevent its having a fair trial than Mr. Harvey—

Those who are endeavoring to have the law changed are individuals who are anxious to make experiments, and select the District as the place to be experimented with.

Why, Mr. President, that is an insult to the honesty and the intelligence and the sincerity of the Senate and Senators. This is not an experimental station, but this is the place where we ought to put into effect what has been shown to be for the best interests of the people of the country after a trial in many sections of this country. Instead of Washington City being the model after which the rest of the country acts, Washington City, as a matter of fact, simply follows and reflects the consensus of the best sentiment and the best legislation of the country.

Then he says:

This bill, if enacted, most certainly will injure business in this city. The chamber of commerce is a business men's organization, and as such I ask—

Now, notice the dominating attitude of Mr. Harvey—
as such I ask that you vote upon this resolution. I want action, whether it be favorable or not.

He wants action. He is bound to have it. He forced it through. Yet, Mr. President, what are the facts about that? Does this resolution represent the sentiment of the Chamber of Commerce of the District of Columbia?

I am told that the resolution was not offered until after they had held their meeting, it being an annual meeting, and elected their officers and adjourned for lunch, with the understanding that when they came back the choice of officers would be ratified and they would go home, and that, as a matter of fact, when the resolution was presented there were but very few members of the chamber of commerce present. I do not say that is the fact; I do not know whether it is or not; but here is what I saw in the Washington Herald, I presume of the next day, giving an account of the meeting. Listen to what the paper said:

Protest was made against prohibition, the Sheppard rider in the District appropriation bill by which the District would be made dry, and against riders in general at the annual meeting of the chamber of commerce last night.

Patrick T. Moran had been elected president, and Capt. James F. Oyster had moved adjournment when Hugh Harvey rose and offered the resolution.

Several members spoke for and against the resolution. The question was whether the chamber, in protesting against the rider that will be considered by the Senate to-day, should protest also against prohibition. Many members, believing there would be no more business, had left.

There is the account of the meeting in a newspaper, with no reason to mistake the facts. It corroborates what I have been told with reference to the matter.

With reference to Mr. Harvey a little bit further, I have here what was given to me by a very reputable gentleman, who says that it is a correct copy of an extract from a speech made by Mr. Harvey a little over a year ago here in the city of Washington. I want to read it to the Senate simply in order to show you what Mr. Harvey thinks, and the course he thinks ought to be taken in order to promote the welfare of the interests he so ably represents.

This is an address delivered by him before the Wholesale Liquor Dealers' Association at the Willard Hotel. This is what he said:

Here is the place where a national organization ought to see the national men who make the laws. [Applause.] Come here annually; every mother's son of you ought to go up there and see every man you know. Every year when you come here you should come here with all the influence you possibly can. Bring all the names of the people that amount to anything in your district and go and leave them with these men. Let them look forward every year to a visitation from you men.

That does not say to whom he was referring, but I have an idea as to who it was.

Mr. President, the Senator from Oklahoma [Mr. OWEN] has called my attention to a little memorandum in the Liquor Dealer telling who the Washington Mercantile Association are. I think something from them was put in the RECORD yesterday protesting against this proposed legislation. Let us see:

The Washington Mercantile Association.

Office: National Hotel, corner Sixth and Pennsylvania Avenue NW.

President: William Muehleisen, jobber.

Secretary: Hugh F. Harvey, retailer.

Treasurer: Charles Jacobson, bottler.

Executive committee: Albert Carey, brewer; Joseph Bush, wholesaler; Frank P. Madigan, salesman.

That ought to have a powerful influence in this body. [Laughter.]

Then, Mr. President, I want to insert in the RECORD—I will not take the time to read it—an extract from the Washington Herald under date of November 16, 1913, and other papers. I do not believe, however, I shall ask to have it inserted in the RECORD, but I am just going to put this reference here, so that Senators who may want to read it may do so. At page 6046 of the CONGRESSIONAL RECORD, volume 50, part 6, Sixty-third Congress, first session, under date of November 29, you will find extracts from the leading papers of Washington City giving accounts of a most disgraceful episode in connection with the Ebbitt Hotel, showing violation of the excise law of the District of Columbia. I shall not take the time to read it.

Mr. President, I have presented these facts in the hope that the Senate might see the necessity of legislation of the character proposed, that they might see the futility of a regulative measure in the District of Columbia. That a prohibition law could be enforced here I have absolutely no doubt. If Congress will provide the force and the means to enforce a law providing that this trade shall not be carried on under any circumstances or any conditions, that law will be enforced in the District of Columbia much more effectively than anywhere else in the country, so far as that is concerned. But the question now before the Senate is, Will you permit a vote upon the merits of this

question, or will you, under the plea that we must not put legislation on appropriation bills, deny to the Senate itself the right to express its opinion upon this question?

Mr. President, we are legislating every day on appropriation bills. The Post Office appropriation bill has legislation from beginning to end in it now. That bill will come before us. Will we hear any protest from Washington City against putting legislation in that bill? Will we hear anybody on the floor of the Senate protesting against its passage because it carries legislation? In the very bill we have before us now there is legislation. It is absolutely essential, under our system, if we are to get legislation passed, that we shall put it on appropriation bills, not for the purpose of embarrassing those measures but for the purpose of getting them enacted into law.

We have not hesitated in the past to put legislation on appropriation bills even though it might be embarrassing to the Executive. Only two years ago there was placed on the sundry civil bill a rider of the highest importance, to which there was tremendous opposition. I heard nobody on this floor on the other side protesting against it on the ground that it would embarrass the Chief Executive. You sent it to the President. He vetoed it. Then we passed it again with that provision in it.

No, Mr. President; in my judgment there is no excuse for preventing a vote upon the merits of this proposition at this time.

Mr. WORKS. Mr. President—

The PRESIDING OFFICER. Does the Senator from Washington yield to the Senator from California?

Mr. JONES. I do.

Mr. WORKS. I should like to ask the Senator from Washington if the bill he has been talking about, the excise bill, was not enacted in this same way by attaching it to this very same appropriation bill?

Mr. JONES. Yes. The Senator probably was not here, but I described all that in the first part of my remarks. I wish I had had a quorum here when I showed how it was done, but I did not, and I did not ask for a quorum for that purpose.

Mr. President, I am not going to discuss now the merits of the amendment of the Senator from Texas. I am not going to discuss the character of this business. As I said before, nobody has a good word for it. This business is an outlaw by law and in practice. It is declared unlawful, but it is permitted to exist and do business upon certain conditions. These conditions continue from year to year. They may be terminated without ground for complaint and without violating any vested right. It is a business for which no good word can be said. It hides behind respectability to promote its own advantage, but for respectability it has no regard in its hellish and damning influences and effects. It prevents legislation by fair means and foul, and when passed it perverts, violates, and nullifies it. It corrupts officials, debauches attorneys, terrorizes individuals, scoffs at public opinion, commercializes womanhood, blackens character, and undermines society. Such a business can not permanently exist. Its doom is certain. It may not come to-day in the District of Columbia, but just as surely as time rolls on the Capital of this Republic will be free from this curse carried on as a business. Public opinion may move slowly, but it is as inexorable as fate.

Mr. President, in this District the liquor interests have nullified a reasonable regulative measure; and if not to-day in the very near future they will face absolute prohibition.

EMPLOYMENT OF ADDITIONAL CLERK.

Mr. BRYAN. Mr. President, I move to take from the tab'le Order of Business No. 33, being Senate resolution 519.

Mr. SMOOT. I ask that the resolution may be stated.

The PRESIDING OFFICER. The Secretary will state the resolution.

The SECRETARY. Senate resolution 519, authorizing the Committee on Post Offices and Post Roads to employ an additional clerk.

Mr. SMOOT. Is not this the resolution to the consideration of which the Senator from Michigan [Mr. TOWNSEND] objected on yesterday?

Mr. BRISTOW. Mr. President, I will answer the Senator by stating that it is not. This resolution was reported last night in executive session, but the reporters were not here at the time, and it was laid over. It is simply to authorize the Committee on Post Offices and Post Roads to employ a clerk for 30 days in order to help out on some important business during that time.

Mr. SMOOT. I have no objection to the resolution. The only point is, the Senator from Michigan objects to any business being done by unanimous consent as long as we do not have a morning hour.

Mr. BRYAN. Have I not the right to call it up, Mr. President?

Mr. SMOOT. Mr. President—

The PRESIDING OFFICER. The Senator from Florida has the floor. Does he yield to the Senator from Utah?

Mr. BRYAN. I yield to the Senator from Utah.

Mr. SMOOT. A resolution of a similar character was passed a few days ago when the Senator from Michigan was in the Senate, and he did not object. Therefore I shall not object to this; but so far as general legislation of any kind is concerned, I shall object.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

The resolution was read, considered by unanimous consent, and agreed to, as follows:

Resolved, That the Committee on Post Offices and Post Roads is hereby authorized to employ an additional clerk for a period of one month at a salary of \$75 per month, to be paid out of the contingent fund of the Senate.

PETITIONS AND MEMORIALS.

Mr. GALLINGER presented the petition of Joseph Madden, of Keene, N. H., chairman of the committee on legislation of the Commercial Law League of America, praying for the enactment of legislation for the appointment of official stenographers in all Federal courts, which was referred to the Committee on the Judiciary.

He also presented a petition of Walbridge & Thayer, of Peterboro, N. H., praying for the enactment of legislation to provide for the Federal grading and inspection of grain, which was referred to the Committee on Agriculture and Forestry.

Mr. McLEAN presented a memorial of the Business Men's Association of Hartford, Conn., remonstrating against an investigation as to the preparedness of the United States for war, which was referred to the Committee on Military Affairs.

Mr. POMERENE presented petitions of sundry citizens of Valley City, Wapakoneta, Rawson, Hamler, Alliance, Lima, Irwin, Sandusky, East Akron, Bridgeport, Youngstown, Apple Creek, Dalton, Orrville, Canton, New Richmond, Martins Ferry, and Cleveland; of the German-American Alliance, of Tiffin, representing over 500 members; of St. Joseph's Commandery of the Knights of St. John, of Lorain, representing 54 members; of the German-American Catholic District League, of Cleveland; of sundry citizens of Deshler; of the Catholic Benevolent Mutual Association, of Tiffin; of the German Aid Society, of Tiffin, and of the German Consolidated Newspaper Co., of Cleveland, all in the State of Ohio, praying for the enactment of legislation to prohibit the exportation of ammunition, etc., which were referred to the Committee on Foreign Relations.

He also presented a petition of Local Branch, German-American Alliance, of Lima, Ohio, praying for the enactment of legislation to enable the President to place an embargo upon all contraband of war, with the exception of foodstuffs, which was referred to the Committee on Military Affairs.

REPORTS OF COMMITTEE ON INDIAN AFFAIRS.

Mr. OWEN, from the Committee on Indian Affairs, to which was referred the bill (S. 4602) to pay the balance due the loyal Creek Indians on the award made by the Senate on the 16th day of February, 1903, reported it without amendment and submitted a report (No. 917) thereon.

Mr. CLAPP, from the Committee on Indian Affairs, to which was referred the bill (H. R. 14196) authorizing the Tuscarora Nation of New York Indians to lease or sell the limestone deposits upon their reservation, reported it with amendments and submitted a report (No. 918) thereon.

BILLS INTRODUCED.

Bills were introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. NELSON:

A bill (S. 7319) granting certain land to the board of education of the village of Mahanomen, Minn. (with accompanying papers); to the Committee on Public Lands.

By Mr. JONES:

A bill (S. 7320) granting an increase of pension to Mercy A. Martin (with accompanying papers); to the Committee on Pensions.

By Mr. SHIVELY:

A bill (S. 7321) granting a pension to Clara McGaughey;

A bill (S. 7322) granting a pension to Edward H. Baldwin;

A bill (S. 7323) granting an increase of pension to Joseph England;

A bill (S. 7324) granting a pension to John H. Hopewell; and

A bill (S. 7325) granting an increase of pension to William J. Cottrell; to the Committee on Pensions.

By Mr. BURLEIGH:

A bill (S. 7326) granting a pension to Fred Lajoie; to the Committee on Pensions.

By Mr. OWEN:

A bill (S. 7327) granting an increase of pension to Alicen W. Poe (with accompanying papers); to the Committee on Pensions.

AMENDMENT TO POST OFFICE APPROPRIATION BILL.

Mr. JONES submitted an amendment relative to the allowance to be made for third-class post offices having postal-savings deposits exceeding \$75,000, etc., intended to be proposed by him to the Post Office appropriation bill (H. R. 19906), which was referred to the Committee on Post Offices and Post Roads and ordered to be printed.

OMNIBUS CLAIMS BILL.

Mr. RANDELL submitted an amendment intended to be proposed by him to the omnibus claims bill (H. R. 8846), which was ordered to lie on the table and be printed.

THE MERCHANT MARINE.

Mr. JONES submitted an amendment intended to be proposed by him to the bill (S. 6856) to authorize the United States, acting through a shipping board, to subscribe to the capital stock of a corporation to be organized under the laws of the United States or of a State thereof or of the District of Columbia to purchase, construct, equip, maintain, and operate merchant vessels in the foreign trade of the United States, and for other purposes, which was ordered to lie on the table and be printed.

RECESS.

Mr. KERN. I move that the Senate take a recess until 11 o'clock on Monday morning.

The motion was agreed to; and (at 3 o'clock and 50 minutes p. m., Saturday, January 16, 1915) the Senate took a recess until Monday, January 18, 1915, at 11 o'clock a. m.

HOUSE OF REPRESENTATIVES.

SATURDAY, January 16, 1915.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou who art the Creator, upholder and sustainer of all things, and who in Thy providence dost mark the sparrow's fall, be graciously near to Thy children everywhere, especially to those who are in distress and sorrow; alleviate their distress and comfort them in their sorrows. So move upon the hearts of the leaders of men throughout the world that they may devise ways and means for the betterment of conditions in all the walks of life; that wars may cease and peace and happiness fill every home. And to Thee we will give all praise, in His name. Amen.

The Journal of the proceedings of yesterday was read and approved.

THE LATE SENATOR BACON.

Mr. BARTLETT. Mr. Speaker, I ask unanimous consent that the date of January 24, 1915, set apart in the House for eulogies on the life, character, and public services of the late Senator AUGUSTUS O. BACON, of Georgia, be changed to February 21, 1915, on account of the fact that gentlemen who expected to be present can not be present on the day that has been set.

The SPEAKER. The gentleman from Georgia asks unanimous consent that the order for eulogies on the late Senator BACON for the 24th of January be vacated, and that Sunday, February 21, be set apart instead. Is there objection?

There was no objection.

NAVAL APPROPRIATION BILL.

Mr. PADGETT, from the Committee on Naval Affairs, reported the bill (H. R. 20975) making appropriations for the naval service for the fiscal year ending June 30, 1916, which, with accompanying report (No. 1287), was referred to the Committee of the Whole House on the state of the Union and ordered printed.

Mr. BUTLER. Mr. Speaker, I reserve all points of order on the bill.

Mr. MADDEN. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Illinois [Mr. MADDEN] raises the point of order that there is no quorum present, and evidently there is not.

Mr. UNDERWOOD. Mr. Speaker, I move the call of the House.

The motion was agreed to.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify the absentees, and the Clerk will call the roll.

The roll was called, and the following Members failed to answer to their names:

Ainey	Dixon	Kinhead, N. J.	Post
Allen	Dooling	Korbly	Powers
Anderson	Driscoll	Kreider	Price
Anthony	Drukker	Langham	Ragsdale
Austin	Dunn	L'Engle	Riordan
Avis	Elder	Lever	Roberts, Mass.
Baker	Falson	Levy	Roberts, Nev.
Barchfeld	Falconer	Lewis, Pa.	Rothermel
Barnhart	Fess	Lindbergh	Rouse
Barton	Flood, Va.	Lindquist	Rupley
Bell, Ga.	French	Linthicum	Sabath
Boohar	Gallivan	Loft	Saunders
Brodbeck	Gardner	Logue	Scott
Brown, W. Va.	George	McClellan	Scully
Browning	Gittins	McGillicuddy	Shackelford
Bruckner	Glass	Maher	Sims
Bryan	Goldfogle	Manahan	Smith, Idaho
Buchanan, Ill.	Gordon	Metz	Stanley
Bulkley	Graham, Pa.	Miller	Stevens, N. H.
Burke, Pa.	Griest	Morin	Stout
Byrnes, S. C.	Griffin	Moss, Ind.	Taggart
Campbell	Guernsey	Moss, W. Va.	Talbot, Md.
Cantor	Hamill	Murdock	Taylor, N. Y.
Carew	Hart	J. I. Nolan	Townsend
Carlin	Hinebaugh	O'Brien	Vare
Carr	Hobson	Oglesby	Walker
Chandler, N. Y.	Hoxworth	O'Hair	Whaley
Clark, Fla.	Igoe	O'Shaunessy	Wilson, Fla.
Curry	Kahn	Paige, Mass.	Wilson, N. Y.
Dale	Kelster	Palmer	Winslow
Davis	Kennedy, Conn.	Patten, N. Y.	Witherspoon
Deitrick	Kennedy, Iowa	Peters	Woodruff
Difenderfer	Kennedy, R. I.	Peterson	

The SPEAKER. On this roll call 293 Members, a quorum, have answered to their names.

Mr. UNDERWOOD. Mr. Speaker, I move to dispense with further proceeding under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

BILL AND JOINT RESOLUTION SIGNED.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill and joint resolution of the following titles, when the Speaker signed the same:

H. R. 6060. An act to regulate the immigration of aliens to and the residence of aliens in the United States; and

H. J. Res. 234. Joint resolution directing the selection of a site for the erection of a statue in Washington, D. C., to the memory of the late Maj. Gen. George Gordon Meade.

RIVER AND HARBOR APPROPRIATION BILL.

Mr. SPARKMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20189, the river and harbor bill.

The motion was agreed to.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20189, with Mr. RAINEY in the chair.

The CHAIRMAN. The House is in Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 20189, the river and harbor bill. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 20189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Oklawaha River, Fla.: Continuing improvement and for maintenance, \$10,000.

Mr. FREAR. Mr. Chairman, I move to strike out lines 8 and 9, on page 16.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Amend, page 16, by striking out lines 8 and 9.

Mr. FREAR. Mr. Chairman, if this item was for maintenance alone, I would not make the motion. It is for continuing improvement, in addition to maintenance, and I call the attention of the committee to the fact that this item called for \$175,000 in the last bill. It is placed at \$10,000 here. The new project has not been extended in this year's bill. That was a \$733,000 project.

A very interesting fact in connection with that project is that while the House insisted it should remain in the bill last year when the bill went to the other side of the Capitol the Senate committee struck it out before it was referred to that body. This action indicated to some degree the merit of criticisms that were leveled at the item in this House. It now reads for \$10,000 on a different project, and I desire to present one or two facts, because they may have some bearing upon the future consideration of the \$733,000 project when it is offered.

There has been appropriated on this river \$78,710—not a very large appropriation as appropriations go—and the balance available was \$10,046 on July 1, 1914.

In view of the fact that this is a very small project in character, it seems to me that the balance which remains on hand could very profitably be used at the present time, and we might save that amount of money—\$10,000—which is proposed in the bill. The engineers state that the navigation on the upper river is obstructed by water hyacinths and eel grass; that the dredges *Florida* and *Captain McGuire* in three months in 1914 removed 1,298 snags, 991 overhanging boughs, 478 logs, and 144 stumps, aggregating about 3,000 obstructions removed from this stream last year. It would seem that that ought to be sufficient under ordinary circumstances to get most of the stumps out of the river. The commerce on that river last year amounted to 14,622 tons, of which 6,210 tons were logs.

Mr. DONOVAN. Mr. Chairman, will the gentleman allow me an interruption?

Mr. FREAR. Certainly.

Mr. DONOVAN. Will not the gentleman repeat what he just read? As I caught it, I thought it was interesting.

Mr. FREAR. Yes; certainly. On page 2101 of the second volume of the 1914 report, the engineers state that the dredges *Florida* and *Captain McGuire* in three months in 1914 on the Oklawaha River removed 1,298 snags, 991 overhanging boughs, 478 logs, and 144 stumps; in all, nearly 3,000 obstructions. It would seem that this work ought to have cleared the river reasonably well, if it were not for the notation on page 595, wherein it is stated that navigation on the upper river is much obstructed by hyacinths and eel grass. The suggestion has been made to me, and possible it will occur to every other Member, that it would be well in conducting navigation on this stream to go armed with a lawn mower and a pair of clipping shears for the branches. [Laughter.] The commerce on this stream, however, is of some importance. In 1914 it aggregated 14,622 tons.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. FREAR. Mr. Chairman, may I have two minutes more in view of the interruption?

The CHAIRMAN. The gentleman from Wisconsin asks unanimous consent to proceed for two minutes more. Is there objection?

There was no objection.

Mr. FREAR. The commerce, as I said, in 1914 aggregated 14,622 tons, of which 6,210 tons consisted of logs afloat, making a net result of 8,412 tons of valuable traffic, for which \$733,000 was asked for the same stream in the project presented last year. In view of the fact that a little more than \$10,000 was on hand at the last report, it occurs to me that we ought to save this money, if possible, at this time. I move to strike out the two lines.

The CHAIRMAN. The question is on the amendment of the gentleman from Wisconsin [Mr. FREAR].

The amendment was rejected.

The Clerk read as follows:

Indian River, Fla.: Continuing improvement between Goat Creek and Jupiter Inlet and for maintenance, \$10,000.

Mr. DONOVAN. Mr. Chairman, I move to strike out the last word. I notice that this is called Goat Creek. I should like to ask the chairman of the committee if that signifies a place where there is water only occasionally? Is the Government money being spent in trying to make a waterway of a creek? My understanding of a creek is a place where there is water only a part of the year. I ask that question of some member of the committee who knows anything about it, if Goat Creek is a place where there is water only a part of the year? What do you mean by the word "creek"?

Mr. EDWARDS. If the gentleman will read that item a little more carefully, he will see that this is for the Indian River between Goat Creek and Jupiter Inlet, and is not for Goat Creek.

Mr. DONOVAN. Mr. Chairman, I think I ought to apologize to the committee for not reading the paragraph more carefully.

Mr. EDWARDS. The gentleman did not get our goat that time.

The CHAIRMAN. Does the gentleman from Connecticut withdraw the pro forma amendment?

Mr. DONOVAN. Yes.

The Clerk read as follows:

Crystal River, Fla.: For maintenance, \$3,000.

Mr. FREAR. Mr. Chairman, I wish to consider this river and the next one together, and I move at this time to strike out line 17.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 16, amend by striking out line 17.

Mr. FREAR. Mr. Chairman, this is a very small project, of course; only about the size of the Oklawaha. I call attention to the character of a few streams among the 30 different projects in Florida which are in this bill. I wish to show the character of some of these projects. Crystal River is one of them, as is the next item, the Anclote River.

Mr. DONOVAN. Will the gentleman allow a question?

Mr. FREAR. Certainly.

Mr. DONOVAN. The gentleman stated that this is one of some 30 projects in Florida. Does the gentleman mean to infer that Florida has a greater number of projects in the bill than any other locality in the United States?

Mr. FREAR. Oh, I do not ask anyone to draw any inference from what I say. I try to give facts from which inferences can be drawn.

Mr. SPARKMAN. I wish to say that Florida has more harbors than any other State in the Union, unless it is New York. It also has more seacoast than any other State, and nearly as great a mileage of navigable rivers and canals as any other State, only two or three others exceeding it.

Mr. FREAR. I am very much pleased to be interrupted by the chairman of the committee. However, I will say that, outside of two harbors, I do not know that it has any very large traffic, so far as the engineer's report shows, except logs.

Mr. SPARKMAN. The gentleman is mistaken about that, for it has about 12,000,000 tons of commerce; that is to say, the rivers and harbors inside of the State or Florida carry, in round figures, 12,000,000 tons of commerce annually.

Mr. FREAR. Is that true of the 30 projects in the bill?

Mr. SPARKMAN. That is the annual water-borne commerce of the State.

Mr. FREAR. I will say to the gentleman, as we are passing the compliments backward and forward, that there is a harbor in my own State that has almost four times the total commerce of all the rivers and harbors of Florida combined.

Mr. SPARKMAN. I would like to have the gentleman name that harbor.

Mr. FREAR. Duluth and Superior, which has been combined by the engineers and has 46,000,000 tons. The city of Milwaukee has over 8,000,000 tons, and I can give you some others having over 5,000,000 tons, for instance, Ashland.

Mr. SPARKMAN. A great deal of that is iron ore, but it is very good commerce to be sure.

Mr. FREAR. And yours is largely lumber.

Mr. SPARKMAN. Oh, no; relatively a small part is lumber, besides 1 ton of commerce in Florida would buy about 15 or 20 tons of yours.

Mr. STAFFORD. That would not apply so far as Milwaukee is concerned. [Laughter.]

Mr. MANN. It would if Milwaukee beer went to Florida.

Mr. FREAR. I accept the statistical correction of the gentleman from Milwaukee.

Crystal River has had an appropriation of \$34,000 thus far. On July 1, 1914, the balance on hand was \$4,000. Nothing was spent in 1913, so that a balance presumably is still on hand for this little stream.

According to the engineer's report the project was completed at 6 feet in 1902. It is a short, 9-mile creek to Crystal. The commerce in 1913 on this important waterway amounted for all purposes to 1,240 tons, about 3 tons a day going one way, or 4 tons at the outside. It has no regular steamers. The trade carried on by water amounts to 2 per cent of the total trade. No effect on freight rates. It is entirely used by private launches according to the statement of the engineer.

I move to strike out the appropriation.

Mr. SPARKMAN. Just one moment, Mr. Chairman. Wherever there is a diminishing commerce it always attracts my attention, as it should that of anyone. Any person who wishes to act intelligently on a river and harbor bill should seek to understand the growth and fluctuations of water-borne commerce.

Now, the commerce on Crystal River has fallen off, but it is because of the fact that for the last three or four years the engineers have not recommended enough money to keep that channel open. At one time we had 6 feet of water. That was brought about by the expenditure of about \$30,000, and not \$80,000, as I am told a newspaper in New York stated the other day. When that \$30,000 was expended it resulted in a channel with a depth, I think, of 6 feet of water.

Mr. SAMUEL W. SMITH. Mr. Chairman, will the gentleman yield?

Mr. SPARKMAN. Just one moment. Then the commerce began to increase. In 1907 it was 7,888 tons and in 1908 it went up to 48,000 tons. In 1909 it dropped to 33,000 tons, and then continued to fall off gradually, because the channel was not kept open, and last year it was down to the tonnage the gentleman has just mentioned.

Mr. FREAR. May I ask the gentleman a question?

Mr. SPARKMAN. Just one moment. I have no doubt that when this money is expended and the channel is reopened to a proper depth commerce will increase therein, because while the stream is only 9 miles in length, it is an important waterway and carries at all times very important commerce. I want to say again to this House that in that section of Florida where the country has not reached its full growth it is not falling back, but still growing and developing commerce, both by rail and water—is increasing rapidly and not diminishing. Wherever there is a falling off in the case of any harbor or river it can safely be attributed to the fact either that the waterway is not sufficiently commodious or that the commerce statistics have not been properly gathered.

Mr. SAMUEL W. SMITH. Mr. Chairman, will the gentleman yield now?

Mr. SPARKMAN. Yes.

Mr. SAMUEL W. SMITH. How much more coast line has Florida than Michigan?

Mr. SPARKMAN. I could not tell, but I think about twice as much. I may be mistaken, but I fancy not.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Anclote River, Fla.: For maintenance, \$5,000.

Mr. FREAR. Mr. Chairman, I move to strike out line 18.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 16, strike out line 18.

Mr. FREAR. Mr. Chairman, I do not offer this for the purpose of needlessly repeating in reference to small projects. It occurs to me that in this project is to be found a full explanation of the argument just made in reference to the large amount of traffic which occurs at certain times upon some of these small streams.

Mr. DONOVAN. Mr. Chairman, I make the point of order that the committee is not in order. We are entitled to hear what the gentleman has to say, and the members of the committee are keeping up a continual humdrum conversation, without any regard to propriety or decency in conducting debate in this House.

The CHAIRMAN. The committee will be in order.

Mr. FREAR. Mr. Chairman, I desire to say that I had not observed it with the members of the committee. They certainly owe no explanation or apology to me, for I think they have been very courteous, so far as I have noticed, and I appreciate it very much. On this project I believe is to be found a complete answer to the statement of the gentleman from Florida with reference to Crystal River. Referring to the engineer's report, on page 627, we find that it is a project for a 4-foot channel begun in 1899. We have expended upon it \$56,500, and now we are asked for \$5,000 more. The project has been completed. The commerce upon this stream, which apparently is much like that of Crystal River, amounted to 22,730 tons. That is quite a large commerce; but logs and timber amounted to 21,100 tons, which is practically all of it. There were only 1,630 tons of other commerce. The commerce decreased 33 per cent from the preceding year—from 1912—according to the engineer's report, at page 627. There are no regular steamers in the trade, and one boat was abandoned, due to railroad rates, according to page 2126 of the engineer's report. In a case where the railroads had driven out all of the commerce and the only boat line has been taken off, it occurs to me that we ought to think twice before making an appropriation.

Mr. EDWARDS. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. EDWARDS. Does the gentleman notice that the value of that commerce to which he refers is \$1,381,700?

Mr. FREAR. That is, including the timber?

Mr. EDWARDS. Regardless of what it is, it is commerce and is of that value. Whether it is iron ore or logs, it is commerce found there. Of course, if it was iron ore it would make a very great difference in the gentleman's opinion, but they do not find much of that in Florida.

Mr. FREAR. If the gentleman is making an argument, I want my time extended in order to reply to it.

Mr. EDWARDS. The gentleman noticed also that there are 200 launches and yachts on that stream. Does he not know that on these small rivers where there are no railroads in the vicinity, as is the case here, the people have to rely largely on launches for carrying of their freight, which is not taken into account in compiling the tonnage in the reports?

Mr. FREAR. Let me say to the gentleman that if he is acquainted with the methods of logging he will know that not more than 4 feet is ordinarily required to float logs. That is the character of commerce floated on that stream. As a member of the committee the gentleman ought to know these facts. If the gentleman will only glance at the preceding item in regard to Crystal River, he will find that only 2 per cent of the commerce was carried on the Crystal River last year.

Mr. EDWARDS. But we are discussing the Anclote River now.

Mr. FREAR. I am discussing the other to show the character of it.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Certainly.

Mr. CALLAWAY. Is it not a fact that this log commerce referred to is not regularly carried on on the streams, but that these logs are cut and prepared and floated down on the rise in rafts?

Mr. FREAR. I assume that is so. That is the case in most places.

Mr. CALLAWAY. And does not the gentleman know that is the way they raft timber and float it down the stream to the sawmills, that they catch them in booms, and that it is not necessary at all to have any expenditure to carry on this kind of commerce?

Mr. FREAR. I will answer the gentleman by saying that we have just taken 3,000 snags and old stumps out of the last place, and that is strong evidence of a sawmill. Those obstructions are left usually for the Government to clear up.

Mr. CALLAWAY. Is it not a fact that a lot of this commerce is simply the gravel and sand and stuff they float up and down the river to improve the river, to make these locks and dams and things of that kind, and that they report that as commerce on the river?

Mr. FREAR. There is no question about that on some of the other streams. The engineers say so in many cases.

Mr. CALLAWAY. From the information that the committee gives as to this claim, is it possible for any man who has not made a study of it to give any legitimate, reasonable, intelligent thought to it from the facts that they give as to whether or not the projects ought to be continued or discontinued?

Mr. FREAR. I leave that for the chairman of the committee, who is about to rise.

Mr. SPARKMAN. Mr. Chairman, just a word. It is true some of the commerce going over that river is lumber, but that is not all produced there. The most of it is shipped there by water from other places where there are sawmills and is carried up the river mainly for use in the construction of houses. The town of Tarpon Springs, which is very near the river—in fact, extends to the river—is quite a flourishing town and uses a great deal of building material, hence the large tonnage of lumber on the river. In addition to that it is an important harbor of refuge for vessels in that section of the country, a great many small vessels going in there for shelter in stormy weather. Very large vessels can not go in there, but small craft, fishing smacks, and sponging vessels go in, and some good-sized vessels. And I may say in passing this is the greatest sponge center in the United States, Key West being the next. Nearly all sponges now taken in American waters are gathered in that vicinity and carried to Tarpon Springs, up this very river, where they are cured and dried and sent thence to all parts of the country; some to foreign countries. There are likewise some fish carried in there from up and down the coast and shipped to other parts of the country. I have not had time to investigate as to why the commerce fell off last year, but I may say that it should not have fallen off, as it is a rapidly growing town; one of the most flourishing and progressive towns in the country, and I take it that there has been no real falling

off in the commerce. On the contrary, I am sure it is increasing all the while.

Mr. EDWARDS. Mr. Chairman, just a few words. Now, the gentleman from Wisconsin [Mr. FREAR], whether intentionally or unintentionally—and I think intentionally—has left the impression upon the minds of the Members of this House that the only commerce that floats upon that stream—Anclote River—consists of a few logs—

Mr. FREAR. I gave the statistics of the full amount.

Mr. EDWARDS. Let us see if the gentleman did. The gentleman did not mention fish as an item of commerce.

Mr. FREAR. I gave 1,600 tons.

Mr. EDWARDS. There are 800 barrels of fish carried over that stream, and there were 1,500,000 feet b. m. of lumber. The gentleman did not mention merchandise, and there are 1,000 tons of merchandise carried over it. The gentleman did not mention sponges, valued at \$1,210,000, that go over this river. He merely pointed out the item of logs and said that that practically was all that goes over the stream. The logs amount in value to only \$45,000, while the whole commerce of this river amounts to \$1,381,700.

I want to say to the gentleman from Wisconsin that if he is going to enlighten the country he ought to deal fairly with this House and with the country, and when he undertakes to attack a stream he ought to give the commerce of it and point out what constitutes the commerce. Now, the sponge item alone in value is \$1,210,000. Gentlemen of the House, the item that is carried in this bill for this particular project is only \$5,000, and is for the maintenance of the stream, and yet the gentleman tells you in effect this is a great blot upon the country because we appropriate \$5,000 to maintain this stream, that has over a million dollars' worth of commerce on it.

Mr. DONOVAN. Will the gentleman allow a question?

Mr. EDWARDS. Certainly.

Mr. DONOVAN. Does not the census report for 1909 show that Florida is the forty-fifth State in the Union in point of commerce? I ask the gentleman that question.

Mr. SPARKMAN. It shows nothing of the kind. It shows it is about the twelfth or thirteenth in point of tonnage.

Mr. DONOVAN. That would be important testimony.

Mr. EDWARDS. I am not advised as to that, but I am quite confident that is not true. Now, Mr. Chairman and gentlemen, I think it is ridiculous for a Member of this House to stand up here and criticize an item of this kind—\$5,000 for maintenance of a stream that carries over a million dollars' worth of commerce—and want to crucify the committee because we have carried that item in the bill, and I think it is but fair to the House when an item of this kind is attacked by a Member that he should give the House the whole truth and not have the House labor under a misapprehension in reference to it.

Mr. DIES. Will the gentleman yield for a question?

Mr. EDWARDS. I will.

Mr. DIES. That is about 20 cents a ton, I take it, for maintaining that stream. That is a very low average for maintaining the waterways of the country, whether ports or rivers, with regard to the amount per ton required for maintenance, is it not?

Mr. EDWARDS. I can not say as to that, but I think it is true.

Mr. DIES. Does the gentleman from Georgia understand that the gentleman from Wisconsin would abandon all of these streams and ports by cutting off the appropriations for their maintenance?

Mr. EDWARDS. I am persuaded to believe he would abandon everything except those in Wisconsin. Wisconsin has drawn from the National Treasury, down to 1913, the sum of \$16,220,390.90, practically everything in Wisconsin completed, and that does not include the Soo, that required something like \$50,000,000, and now, Wisconsin having been taken care of, the rest of the States must go begging before the country to have their commerce developed and taken care of.

Mr. DIES. Now that the gentleman is reminded of this perfidious way of getting money from the Treasury and the needs of his State have been supplied, probably he will introduce a bill to return to the Government every dollar which has been so extracted.

Mr. EDWARDS. I would hardly think so; but we will wait and see.

Mr. SPARKMAN. Just one word more. I want to answer the gentleman from Connecticut. He stated a moment ago, interrogatively to be sure, but it was a statement nevertheless, that Florida was the forty-fifth State of the Union in its commerce. I said offhand that it was the fourteenth. I find it is the thirteenth, and has twice as much commerce as the State

of Connecticut. Florida, for instance, has about 12,000,000 tons of commerce annually, while his State has about 6,000,000 tons. [Applause.]

Mr. DONOVAN. Mr. Chairman, will the gentleman allow an interruption?

Mr. SPARKMAN. Certainly.

Mr. DONOVAN. There is one thing sure, that Florida has several times as many fingers in the Treasury of the United States as Connecticut. There is no doubt about that. But if he wants to quote from the census, let him tell us the page and line on which he finds it. I ask the question of the gentleman. He assumes so much knowledge, and, of course, if he has so much knowledge, he can answer. I did not make the assertion. It was interrogatory on my part. The gentleman can state truly, and without fear of contradiction, that when it comes to putting fingers in the Treasury Florida has got Connecticut skinned in every way.

Mr. SPARKMAN. I can state this also, that when we came to cut the estimates furnished by the War Department for this bill, as we did, we cut 36 per cent out of those for Florida and did not cut one cent from those for the State of Connecticut. [Applause.]

Mr. DONOVAN. I suggest, Mr. Chairman, if I am allowed, that nothing is so pleasing as the applause of the committee when one of the Members has something to say. [Applause.] The committee is in trouble on account of their system of doing business. There is hardly a Member of this House who can vote on a single item of this bill intelligently. I am having trouble to get information. I go to the committee, go to the clerk, and it is not given to me. Now, the gentleman comes in here, and he is in a serious disturbance of mind because a query is propounded. But the applause of the committee is music to his ears. It is always pleasing to gentlemen who are dividing the swag to have our associates sustain us.

Mr. SPARKMAN. The House is very apt to applaud the truth.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the last word. The gentleman from Texas [Mr. DIES] jumps on the gentleman from Wisconsin [Mr. FREAR], and asks him if he thinks 20 cents per ton expenditure on a river proposition is excessive. The actual cost of carrying a ton a mile on a railroad, I believe, is between 6 and 7 mills. The gentleman from Texas [Mr. DIES] does not think the gentleman from Wisconsin ought to jump on this project when it does not cost over 20 cents a ton for what goes over the route. How far would 20 cents at 7 mills a ton-mile carry freight?

Mr. FREAR. Will the gentleman yield?

Mr. CALLAWAY (continuing). At 20 cents per ton, it would carry it 285 miles.

Mr. FREAR. I want to assure the gentleman that his basis of computation is entirely wrong, because that freight is costing the Government to-day at the rate of \$3 per ton, as I propose to show, after counting the floating logs out.

Mr. CALLAWAY. I am not taking that. I am taking the gentleman's own figures. Twenty cents a ton-mile, the cost of carrying it by rail, would carry every ton on this stream 285 miles. I guarantee—and the gentleman from Texas will not contradict or question that statement—that the freight on that stream is not carried 285 miles for every ton, or one-tenth that far.

Mr. CULLOP. Will the gentleman permit an interruption there?

Mr. CALLAWAY. If you will calculate the tons that are carried per mile on this stream and see how far actually each ton is carried, you will find that instead of it costing 7 mills a ton-mile, what it costs the railroads of the country, that the Government is paying out ten times 7 mills a ton-mile, or 70 mills a ton, for every ton of freight that is carried on that project. And you object to criticism of a proposition like that.

Mr. CULLOP. Will the gentleman permit an interruption there?

Mr. CALLAWAY. Yes.

Mr. CULLOP. The owner does not pay this 20 cents a ton for the carrying of freight. It is the Government's gift for preparing the way to carry the freight.

Mr. DIES. Mr. Chairman, I had occasion to remark last evening that all the revenues of the Government are now going to pay pensions and provide for the wars of the past and the present. I can readily understand what moves the bowels of wrath of my friend to my right from Indiana [Mr. CULLOP], but I am puzzled about my colleague from Texas [Mr. CALLAWAY]. My friend from Indiana wants to save a little on commerce in order to save the pension appropriation, but where does the trouble of my friend from Texas come in?

Mr. CALLAWAY. It comes in when I see the Treasury looted either by these river and harbor raiders or by the pension raiders, the Army and Navy raiders, and the gentleman from Texas will not dispute that my course has been consistent every time this body has tried to raid the Treasury for pensions, for the Army, for the Navy, or any other of these outrages that are parceled out like this is parceled out.

Mr. DIES. Now, Mr. Chairman, I am ready to concede that my friend has objected to a great part of the 76 cents on the dollar of the entire money that is appropriated, and that goes to support war past and present, but does he not think in view of the fact that these pensions are saddled upon us and this great war preparation is saddled upon us that we ought to let some commerce get away from the hills and valleys of this country and pass down its rivers and through its ports to the marts of the world in order to pay the bill? [Applause.]

Mr. CALLAWAY. Mr. Chairman—

Mr. DIES. Just a moment.

Mr. CALLAWAY. I want to answer the question.

Mr. DIES. We have got to develop this great country with its 90,000,000 of people and its broad acres and pay the pensions of my friend from Indiana [Mr. CULLOP], and I ask of him not to become impatient to get it all, but let us build up some business and pay what we already owe.

Now I yield to my friend from Texas [Mr. CALLAWAY].

Mr. CALLAWAY. Mr. Chairman, I do not think you can make this donkey, that is already loaded to the "gunnels," rise and hump himself by piling on another brick house.

Mr. DIES. Mr. Chairman, the truth of it is this: The outgoing commerce of this country is almost \$2,000,000,000 a year. Its incoming commerce is tremendous, reaching into the hundreds of millions of dollars. Yet gentlemen stand here and talk about the river and harbor bill as being "graft," affording meat and bread for the sensational newspapers of this country. They do a vast and violent injustice to the commerce through the ports and rivers of this country. [Applause.] Men may laugh at it, but it is not a laughing matter. I know I represent a district, gentlemen of the committee, where 12 years ago we tried to get aid from the Government, and men like the gentleman from Wisconsin [Mr. FREAR] were then on the floor of the House and laughed it to scorn, and we could not get a cent for that project; and yet we built it at our own private cost and gave it as a gift to the Government, and to-day it is one of the most important ports in the United States and carries more than 4,000,000 tons of commerce, with a value of almost \$100,000,000. I refer to Port Arthur, Tex. If the character of statesmanship now being expressed by my friend from Wisconsin [Mr. FREAR] could have controlled that waterway, Port Arthur would still be a cow range and the Government would have saved its means.

I want to say, Mr. Chairman, that I have great respect for the honesty of purpose of both the gentleman from Wisconsin and my colleague from Texas [Mr. CALLAWAY], but I think they owe it to their country—and I think my friend from Wisconsin owes it to his State and my other friend and colleague owes it to his State and to the country—to investigate these propositions before they talk about them so glibly.

Just last evening my friend was complaining of a pitiful sum to be expended on three rivers that carried a burden of 300,000 tons. How is the commerce to be carried through the arteries of trade, how is the country to be developed, how are we to carry our lumber and oil and wheat and timber and agricultural products and commerce in general to the sea and through the ports of the sea to the markets of the world, unless the United States Government shall carry on this work? [Applause.] While I respect the integrity and patriotism and purity of purpose of these gentlemen, I do pity their judgment. [Applause.]

Mr. SWITZER. Mr. Chairman, for the enlightenment of the committee I desire to say that the Government engineers—

Mr. SPARKMAN. Mr. Chairman, I want to submit a request for unanimous consent, that all debate on this paragraph and amendments thereto end in five minutes.

Mr. FREAR. Mr. Chairman, I ask for five minutes. I have responded to three different interjections that I have had from the gentleman from Georgia [Mr. EDWARDS] and the gentleman from Texas [Mr. DIES]. I want to speak for five minutes.

Mr. SPARKMAN. Then make it eight minutes, Mr. Chairman.

The CHAIRMAN. The gentleman from Florida [Mr. SPARKMAN] asks unanimous consent that the debate on this paragraph close in eight minutes. Is there objection?

There was no objection.

Mr. SWITZER. Mr. Chairman, I desire to say that there were 354 rivers and harbors investigated by the Government

engineers costing \$506,671,600, and on a 3 per cent investment the cost of traffic annually per ton-mile for improving these harbors and streams would be 2½ mills per ton. The cost of maintenance of these harbors that have been investigated, which is \$9,248,900, amounts to 1½ mills per ton-mile. The original investment at 3 per cent, so far as they have investigated, amounts to 2½ mills per ton-mile for the tonnage carried. The maintenance to keep them up year by year is 1½ mills per ton-mile. The commerce on the rivers and harbors I have referred to was originally 276,000,000 tons—in 1907 it was 648,026,400 tons, and in 1912, 722,885,400 tons—showing an increase in place of a decrease, so far as they have been able to investigate. I desire to say that these 354 projects do not include some of the greatest and largest commerce-carrying streams and harbors in the country. [Applause.]

Mr. FREAR. Mr. Chairman, after the applause ceases from the members of the committee I would like to be heard for a moment. There are two or three gentlemen that I would like to respond to; first, the gentleman from Georgia [Mr. EDWARDS].

I will say to him that if anyone on this floor makes a misstatement, either purposely or by mistake, the attention of the House ought to be called to it, and conclusions will then be drawn. For that reason, knowing that the gentleman is mistaken in his statement regarding myself, I call the attention of the House to his quotation from myself when he said I had asserted that logs were all that went over this stream. Was that the gentleman's quotation?

Mr. EDWARDS. No. I said that was the impression left upon the Members' minds by the gentleman's statement.

Mr. FREAR. That was the statement of the gentleman, as reported, and I leave it to the Reporter's notes to determine. I clearly stated that there was 1,600 tons over and above the timber that floated down the stream. The Reporter's notes will so show. If not, it is a fact, nevertheless. I am sure that was my statement.

Mr. EDWARDS. I want to state to the gentleman that I would not knowingly do him an injustice.

Mr. FREAR. I believe not. Yesterday in all the statements and statistics that I offered on this floor I was never corrected in a single instance.

Mr. EDWARDS. The gentleman can hardly ever be corrected in all of them, because that is next to an impossibility.

Mr. FREAR. There is no dispute about the statistics I quoted here, because they came from the engineer's report. I do not desire to misrepresent in a single case.

Now, in answer to the gentleman from Texas [Mr. DIES] I realize, too, that he has certain projects to which we are approaching, and he has been very diligent in calling attention to my own lack of information on some things. He has done it very fairly, and I appreciate the spirit in which he has done it. However, in this case he suggests what is the cost of freight and places it at a very erroneous figure.

This stream, according to the engineers' report, has been improved only 2½ miles. It is a 20-mile project. Outside of the logs that have been floated down the stream, so far as we can gather from the engineers' report, it gives about 1,600 tons as being taken out in little boats, and so on; sixteen hundred and some odd tons at an expenditure of \$5,000 is more than a few cents a ton. It amounts to over \$3 a ton for 2½ miles. As the gentleman from Indiana [Mr. CULLOP] says, that is what the Government pays to get a waterway, \$3 a ton. The transportation, of course, must thereafter be paid. So I am calling attention to what seems to be an exorbitant figure for carrying on that transportation, \$3 a ton for an insignificant commerce. I believe I have done it fairly, or attempted to do so.

Mr. CALLAWAY. Will the gentleman yield?

Mr. FREAR. I want to finish this thought, because I may not have a chance otherwise.

The gentleman states that the question of pensions enters into it. Gentlemen, I truly believe we all feel that this is the country that we all love now, and we all stand together and are glad that things resulted as they did. The men of the North went down to Texas and did what they could to keep Texas in this Government, whether right or wrong. We are living under that Government now. Those men are old now. I have introduced several pension bills. I have been before the Committee on Invalid Pensions only once, and that was when I was called before the committee. I think I have introduced six or seven bills and perhaps more. In any event, those bills went before this gentleman who sits here at my side, Gen. SHERWOOD, one of the leading Democrats of this House, one of the ablest men in the House, one of the most patriotic men in the House, and I have left it to his judgment and the judgment of his committee entirely as to the merits of those propositions. I believe he

would not permit a pension bill to go through that was not a just one, and of course each case has to go through the board down at the Pension Bureau for a report.

Mr. DIES. The gentleman is constantly moving to strike out appropriations for the maintenance of rivers and harbors. Is the gentleman sincere about that?

Mr. FREAR. Oh, yes.

Mr. DIES. Would the gentleman have the Government cease to maintain our waterways?

Mr. FREAR. I would not have the Government cease to maintain any reputable waterway. I have said that repeatedly and I reiterate it.

Mr. DIES. What I say about pensions is that we want you to let us do a little business so that we can make the money to pay them.

Mr. FREAR. I do not think it is a question of rubbing one shoulder against another. It seems to me we should legislate on broader grounds, and base our action on the necessity of the Government and the requirements of navigation. For that reason I would urge that anything worthy ought to be cared for. But I do not accept the judgment of a committee that is compelled to sit here and be buffeted around from one Member to another who has projects to put through. The poor chairman of this committee has been made a martyr, as we well know, just by the constant urging of various communities. We have had an evidence of that here upon the floor. The gentleman from Texas [Mr. DIES] speaks about appropriations. His State, as I remember, has had \$22,000,000 represented in the projects here, and that does not include Galveston Harbor, which I think has had something over \$12,000,000, making over \$34,000,000. Now I yield to the gentleman from Texas.

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the amendment of the gentleman from Wisconsin [Mr. FREAR].

The amendment was rejected.

The Clerk read as follows:

Removing the water hyacinth, Florida, Alabama, Mississippi, Louisiana, and Texas: For the removal of the water hyacinth from the navigable waters in the States of Florida, Alabama, Mississippi, Louisiana, and Texas, so far as it is or may become an obstruction to navigation, \$25,000.

Mr. DUPRÉ. Mr. Chairman, I move to strike out the last word for the purpose of asking the chairman of the committee, whose attention I will appreciate, whether the amount appropriated in this section responds to the request made by the department on the subject?

Mr. SPARKMAN. It does; exactly.

Mr. DUPRÉ. I want to ask him if it is not true that an additional State has been provided for in this appropriation without any increase in the amount?

Mr. SPARKMAN. Does the gentleman mean Alabama?

Mr. DUPRÉ. Mississippi.

Mr. SPARKMAN. There was one State added; yes.

Mr. DUPRÉ. And yet the same amount is appropriated, to be apportioned to five States instead of four.

Mr. SPARKMAN. The assistant to the Chief of Engineers told our committee that that amount would be enough for all of them.

Mr. DUPRÉ. I am glad to be told that, so that I may be able to inform the local engineer that we have been assured by the War Department that the amount appropriated here would be enough. In response to my numerous requests for a dredge to clear the rivers of the water hyacinths his reply is always either that the dredge is somewhere else or that there is not a sufficient amount of money for that purpose. May I ask how many dredges there are available for this purpose?

Mr. SPARKMAN. I can not tell that. They are not using many dredges in Florida for that purpose.

Mr. DUPRÉ. I know that they are using them in Louisiana, and when the demand is made for a dredge it is always somewhere else, or there is no money available. Some other State has used the proportion of money that ought to have gone to Louisiana.

Mr. SPARKMAN. Dredges are used but very little, if at all, in Florida for that purpose.

Mr. DUPRÉ. I hope the gentleman will allow me to use all the money in my own district, because all the hyacinths in the country seem to congregate there. Sometimes it gets so thick in a stream that even a heavyweight like the gentleman from Wisconsin [Mr. FREAR] could walk across it with perfect impunity.

Mr. SPARKMAN. I have no doubt the gentleman would like to see it all used in his State, but we are going to leave that to the engineers.

Mr. HARRISON. I should not like to see the gentleman use it all in his district. I have some hyacinths in my district.

Mr. DUPRÉ. I notice that Mississippi is included in this paragraph. I hope there will be enough to go around, now that I am assured Florida will not need any of it.

Mr. SPARKMAN. I did not say that.

Mr. HARRISON. I hope that Mississippi may be able to have some of it.

Mr. SPARKMAN. Mr. Chairman, the report of the engineer will show that very little is expended for hyacinths in Florida.

Mr. CALLAWAY. Mr. Chairman, I know very little about hyacinth, for there is none of it in the part of Texas where I live. It appears to me that this would be equivalent to making appropriations to remove hogweed from the public highway. The idea of weeds growing up and stopping traffic in a stream seems ridiculous to me. The idea of a great commercial highway and weeds growing up in it to stop the traffic, and we have got to have an appropriation to get the weeds out of it.

I do not know about these things, but from my knowledge of weeds I never saw them grow up where there was any amount of traffic or commerce. If there is anything growing along there, it looks like it would be a disturbance, and it would not be necessary to appropriate \$25,000 to clean the weeds out of a great commercial highway that was necessary to furnish money for pensions, and so forth.

Mr. SPARKMAN. It was not necessary, Mr. Chairman, for the gentleman to inform the House that he did not know anything about hyacinths, for his remarks demonstrate that fact. If he did, he would not be making this speech.

Mr. DUPRÉ. Will the gentleman yield?

Mr. CALLAWAY. Yes.

Mr. DUPRÉ. Is not the gentleman confusing hyacinths with cactus?

Mr. CALLAWAY. No; cactus does not grow in the highway. Hogweed does not grow in the highway, but hogweed and cactus and hyacinths will come up when there is no traffic there to keep it down. You have got to have some one go along and clean out the bushes and the weeds and the cactus and other stuff when you have nothing else to keep them out of the highway.

Now, I would like to say to the gentleman from Texas who said that this commerce would help us pay our debts. A man engaged in five or six different enterprises would not add another enterprise to it that was not a paying proposition in order to help him. Here is a Government loaded to the gunwales with pensions, naval expenses, Army expenditures, and other follies, and now we want to add a river and harbor bill to enable us to arise and come down the turnpike at a regular Nancy Hanks gait.

Now, the gentleman from Wisconsin said that the commerce in that stream instead of costing 70 mills a ton-mile to the Government costs \$3 a ton for 2 miles, or \$1.50 a ton-mile, to carry it, and to engage in that kind of industry is not going to help us pay these debts.

I am willing for this Government, and I want it to lay out any legitimate expenditure on rivers and harbors, but a legitimate expenditure is one that brings a dividend on the expenditure. That is the only kind of a legitimate expenditure for rivers and harbors.

The gentleman from Ohio [Mr. SWITZER] gave a long list of increased tonnage that comes into the rivers and harbors. The fight that has been made by the gentleman from Wisconsin and myself on the river and harbor bill shows that the tonnage had decreased on the rivers and the canals, and that there had been a steady decrease since 1881. We never questioned the tonnage of the harbors like New York, Galveston, San Francisco, and Philadelphia. When he comes to these it goes to make up the total estimate of the tonnage on rivers and harbors. They do not meet the arguments as to what the tonnage is on the inland rivers and the canals. They give the tonnage where boats have been increasing from 18 feet to 30 and 40 feet, carrying from 1,000 to 15,000 tons of freight. They want to lug that in to swell the total and defend these raids.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, the gentleman from Texas [Mr. CALLAWAY] makes some eloquent observations in regard to appropriations concerning water hyacinth. I have often noticed that men frequently make the most eloquent observations about those things concerning which they know the least. Recently I was at Panama on the canal. I noticed on Lake Gatun, which is quite a body of water, and in the streams running into the lake also, vast fields of water lettuce and a few water hyacinth. The water lettuce, which, like the hyacinth, is a water plant,

is a plant which propagates rapidly. It has quite a short root, and vessels can go through it without difficulty. The water hyacinth, which also propagates very rapidly, has a very long root, and the people at the canal, after full investigation of the subject, still, possibly, not knowing as much about it as does the distinguished gentleman from Texas, wherever a water hyacinth makes its appearance on any of those waters proceed at once to put it out of business, because they know, if the gentleman from Texas does not know, that if the channel of the canal becomes filled with water hyacinth the most powerful boat will become so entangled in it with its propeller that it will not be able to proceed. Of course, such observations or information will have no effect on the distinguished gentleman from Texas, who fights the hardest when he knows the least.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Blackwater River, Fla.: Completing Improvement, \$5,000.

[Mr. DONOVAN addressed the committee. See Appendix.]

The CHAIRMAN. The point of order is well taken. Without objection, the pro forma amendment will be withdrawn, and the Clerk will read.

The Clerk read as follows:

Channel from Apalachicola River to St. Andrews Bay, Fla.: For maintenance, \$10,000; and the Secretary of War is hereby authorized to pay to the treasurer of Calhoun County, Fla., out of any funds heretofore appropriated for improving channel from Apalachicola River to St. Andrews Bay, the sum of \$400 as full compensation for damage done public highways of said county at points where the adopted line of said channel intersects said highways.

Mr. MANN. Mr. Chairman, I reserve the point of order on the paragraph. I make the point of order on that portion of the paragraph following the figures "\$10,000."

Mr. SPARKMAN. Mr. Chairman, I think the gentleman last year, when the 1914 bill was before the House, made a similar point of order, which was either withdrawn or overruled, because the bill passed, as I recall, with this item in it.

Mr. MANN. I offered to reserve the point of order just this minute. I do not want to waste very much time over a \$400 item.

Mr. SPARKMAN. Perhaps the gentleman does not wish to insist upon his point of order?

Mr. MANN. The point of order, I think, was not overruled. It certainly is a good point of order.

Mr. SPARKMAN. Perhaps the gentleman does not care to insist upon his point of order.

Mr. MANN. With my present information, I will make the point of order.

The CHAIRMAN. Does the gentleman from Florida desire to be heard upon the point of order?

Mr. SPARKMAN. Mr. Chairman, if the gentleman insists upon it I would like to have him state the grounds of his point of order. I did not understand that the gentleman insisted upon it.

Mr. MANN. This is a proposition to pay a claim against the Government, and clearly the Committee on Rivers and Harbors has no jurisdiction over that.

Mr. SPARKMAN. Mr. Chairman, we have been doing just that kind of thing from time to time in the river and harbor bills. I know that since I have been a member of this committee we have appropriated sums for like purposes quite a number of times, and it may be true that points of order were made against some of them, and that several of them have been adopted. It is very clear from the reading of the item what it is intended to do. When that channel was constructed through Calhoun County in the western part of Florida, it went across two highways, as I recall, causing damage to the county. The purpose of this provision is to reimburse the county for this damage. If we are authorized to dig a channel there across the highways, it would seem to me that we should also have authority to pay the county for whatever damage we may cause her. In other words, that where we cause damage or incur a debt in the interest of navigation, that we should and would have the power and authority to discharge the debt or pay the damage.

Mr. MADDEN. Mr. Chairman, I served on the Committee on Rivers and Harbors in 1909-10, and during my membership on that committee the committee reported an item for the reimbursement of the owners of property on the Monongahela River, which was destroyed as the result of a flood that broke down a dam adjacent to the property. A point of order was made against the recommendation of the committee and a suggestion was made that the person in whose behalf the recommendation was made could have nothing more than a claim against the Government. The then presiding officer of the Committee of

the Whole House on the state of the Union held that the point of order was well taken. The item was stricken from the bill and it was referred to the Committee on Claims, where I presume it is now pending. It is on all fours with this, and this is undoubtedly subject to the point of order.

Mr. SPARKMAN. Mr. Chairman, just one moment. In the same bill of 1910 I find an item on page 25 in respect to the Kentucky River:

Provided further, That out of the amount herein appropriated the sum of \$6,000 may be expended for the construction of a bridge—

Mr. DONOVAN. Mr. Chairman, I make the point of order that there is no quorum in the committee, and the parliamentary procedure and our rules require that a quorum be present.

The CHAIRMAN. The gentleman from Connecticut makes the point of no quorum. The Chair will count. [After counting.] One hundred and twenty-five Members are present, a quorum. [Applause.]

Mr. SPARKMAN. Mr. Chairman, when interrupted by the point of no quorum I was calling attention to the bill of 1910 to which the gentleman from Illinois [Mr. MADDEN] referred. At the bottom of page 25, and in the shape of a proviso, it says:

Provided further, That of the amount herein appropriated the sum of \$6,000 may be expended in the construction of a bridge across Tates Creek and restoration of the county road near Otter Creek, both of which items of work have been rendered necessary by construction of Locks and Dams 9 and 10, Kentucky River.

And in the bill of 1912 there was a similar item:

For reimbursing the county of Madison, in the State of Kentucky, for moneys expended by said county for the repair of said county roads near Otter Creek.

Of course that does not fully answer the point of order in that the point of order was not made. It simply shows what we have been doing.

The CHAIRMAN. Did these items remain in the bill?

Mr. SPARKMAN. I was reading from the act as approved.

Mr. STAFFORD. Might I ask the gentleman if the gentleman means to cite a paragraph of a former act as a warrant that it is within the power of the committee to report an item in case a point of order has not been raised?

Mr. SPARKMAN. No; I would not go to that extent; I was simply stating the manner in which we had proceeded heretofore. Custom often makes law, at least in construing a rule it is always useful to know what has been the practice under it.

Mr. DONOVAN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DONOVAN. Has a Member the right to demand a division or tellers if there should be a dispute on account of the number present when trying to find a quorum?

The CHAIRMAN. If the Chair is uncertain of the correctness of the count, the Chair may order a count.

Mr. DONOVAN. That question was suggested by my looking over the crowd here. I think there was a mistake made in finding 125.

Mr. MANN. The gentleman did not take the trouble to count. There are at least 150.

Mr. DONOVAN. Oh, the gentleman may be a lightning calculator, but—

Mr. MANN. Well, I made the count, and that is more than the gentleman from Connecticut did.

Mr. DONOVAN. There are a good many things I do not make.

The CHAIRMAN. The Chair counted.

Mr. DONOVAN. Does the Chair decide we are entitled to tellers?

The CHAIRMAN. If the Chair thinks tellers are necessary, the Chair will order them. [Applause.] No; a Member is not entitled to call for tellers.

Mr. DONOVAN. Has he a right to have a division?

The CHAIRMAN. No; the Chair thinks not. The Chair is in doubt as to the point of order made by the gentleman from Illinois, as to what the proper decision is, and, if there is no objection, the Chair would like to pass that over for a short time.

There was no objection.

The Clerk read as follows:

Choctawhatchee River, Fla. and Ala.: For maintenance of improvement, including Cypress Top Outlet, \$30,000.

Mr. FREAR. Mr. Chairman, I move to strike out the paragraph. I desire to say, in this connection, Mr. Chairman, I have endeavored to present in these projects different kinds of propositions, so far as possible. The gentleman from Florida asked me a few moments ago if sentiment controlled my soul to such an extent that I refused to strike out the Suwanee River. I had not noticed the Suwanee River, and only know it ranks deservedly high in the halls of fame. Many of these projects

I have examined, and in reference to some of the projects I have considered particular phases that are presented in the engineer's report, and I have such a case to present. It is not a duplication of the same character of traffic or anything of that kind, but it presents a different proposition entirely. I trust the members of the Rivers and Harbors Committee will aid us in arriving at an understanding of what the engineers mean in this case. The Choctawhatchee River has a total appropriation of \$255,300. There was available October, 1914, \$20,079, and \$30,000 is asked for here. The project has been completed, according to the engineer's report. This is what I desire to call the attention of the committee to: "From the mouth of the Holmes River," the engineers say, "to the mouth of the Choctawhatchee River, 40 miles, a channel of 4 feet exists." "This is the head of navigation," say the engineers, page 657; and they further say that there is no commerce on the river above the mouth of Holmes River, except for logs. Now, the commerce is given on page 2156 as 73,877 tons, of which logs and timber amount to 46,841, leaving a net traffic, after deducting floatable material, of 27,036 tons. This lumber is all upon a 40-mile haul, according to the engineer's report, but if you will examine on page 2156, you will observe, next to the last column, the freight traffic. The intelligent engineer says that the average haul is from 110 to 120 miles for all this traffic.

Now, how is that possible to occur on a 40-mile stream, which is the head of navigation according to his own statement? How can you get the per-ton mileage, as they endeavored to do here, of 110 to 120 miles for all this traffic? I ask for the purpose of getting information as to the accuracy of such a report.

Mr. DONOVAN. Does the gentleman ask that question of me?

Mr. FREAR. No; of the chairman of the committee.

Mr. SPARKMAN. I think the gentleman is mistaken about the length of the river.

Mr. FREAR. I will give the gentleman the pages on which the information can be found.

Mr. SPARKMAN. Of the entire river, I think it is from 150 to 160 miles.

Mr. FREAR. The engineer says that no commerce exists above the mouth of Holmes River except logs—page 657—and also says:

From the mouth of the Holmes River to the mouth of the Choctawhatchee River, a distance of about 40 miles.

Mr. SPARKMAN. To be exact, the precise length of the project is 162 miles.

Mr. FREAR. Then the engineer is mistaken in his statement that no commerce on the river exists above the mouth of the Holmes River?

Mr. SPARKMAN. It seems he is correct except as to the logs.

Mr. FREAR. Except the logs. He takes all the items, and if the gentleman will examine the record he will find about 20 of them. With the exception of one item of 90 miles, they all run from 100 to 120 miles. We have been frequently referred to the engineers in regard to the ton-mile—

Mr. SPARKMAN. I have no explanation to make myself. Probably it is a typographical error. I would like to read something here when the gentleman has finished, or I can read it now if he prefers, and I think it will satisfy the gentleman.

Mr. FREAR. In reference to this project?

Mr. SPARKMAN. Yes; on the estimate. It is a report made by the Chief of Engineers or the assistant to the chief—Col. Taylor—to the committee regarding that particular work. He says:

We have not had money enough there to properly snag the river, and all of the money that has been appropriated for several years has been expended on the lower river.

That is the part where navigation now exists; and I want to say that I personally know something of this river. It is not in the district I now represent. I did represent it years ago, but Florida has grown so that west Florida, in which this stream is located, is outside of my district. When I knew it there was quite a traffic above the point where it is said to exist now. I have seen steamboats running up beyond the point which they say is the head of steamboat navigation now. Col. Taylor says further:

Lately they have attempted to establish a steamboat line on the upper river, and we have been unable, on account of a scarcity of money, to do the work which ought to have been done and which they now say they will make use of on the upper river. All the balance there is the money that was allotted from the 1914 act. Work has been stopped there for some time. We have not had money enough to extend the work up as far as it should have been done. His estimate calls for dredging at the mouth of Cypress Top Outlet, \$10,000; snagging between the mouth and Geneva, \$40,000; total, \$50,000; less balance available, \$20,000, leaves \$30,000 to be provided.

Now, this project extends up into the State of Alabama, and, as I have just said, there was an important commerce on that river years ago, and by reason of the fact that the stream was permitted to deteriorate the steamboat navigation has stopped. They want to restore it, and that is the purpose of this appropriation.

Mr. FREAR. I desire to read those portions of the engineer's report which have been given to us. This is the information that comes to the committee and to the House. He says, on page 657:

The total amount expended on all projects to the end of the fiscal year 1914 was \$233,128.92.

The project has been completed, and the additional work required is for maintenance.

Then reading down below:

The actual head of navigation for regular traffic on June 30, 1914, was the mouth of Holmes River.

Variation in water surface from 0 at mean low water to 28 feet at upper limit of the project.

There is no commerce on the river above the mouth of Holmes River with the possible exception of a small movement of logs. Below this point there is a large commerce in logs and hewn timbers, and several steamers ply between Pensacola and Vernon on the Holmes River.

I gave the amount of commerce shown by the report. The question I desire to call the committee's attention to at this time is, Why does the engineer, on page 156, give the average haul and distance freight carried? Does he do so in order to ascertain the rate per ton-mile, and how does he reach from 100 to 120 miles, when, as a matter of fact, he says right in the same connection it is only 40 miles? All miscellaneous traffic runs only 40 miles, according to his statement, and yet he puts it 120 miles. What I ask the chairman is, Can we rely on the engineer's report in regard to the amount of traffic?

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. FREAR. Mr. Chairman, I ask unanimous consent for two minutes more.

Mr. EDWARDS. Mr. Chairman, reserving the right to object—I am not going to object at this time, but I will object to any further extension. We have been on this bill very nearly a week, and time is valuable in this Congress. There has been a vaudeville performance against this bill going on for some time.

Mr. DONOVAN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. DONOVAN. The gentleman from Georgia is not talking to the point of order. He can not take the floor on a subterfuge and talk about extraneous matters.

Mr. EDWARDS. The gentleman is mistaken as usual.

The CHAIRMAN. The committee will be in order. The question is on the request of the gentleman from Wisconsin for two minutes more. Is there objection? [After a pause.] The Chair hears none.

Mr. FREAR. Mr. Chairman, it occurs to me to be a remarkable spectacle that in the \$34,000,000 bill that has been discussed less than two entire days, we should be criticized for inquiring as to facts. We are entitled to know the truth as to items like this in which engineers have made a wrong statement. I can not believe it was done purposely. I say it is a remarkable thing that we can not acquire information and are challenged as to our right of inquiry. I do not believe the gentleman from Georgia is going to insist upon that course of conduct. At least he will surely not expedite matters by so doing. I have found many cases in which the engineers failed to give satisfactory responses in regard to the amount of commerce, but if there is no explanation to be offered, of course, that is all I can ask in regard to it. I think, in view of the situation, that paragraph ought to be stricken out.

Mr. SPARKMAN. Mr. Chairman, I do not think that should be done by any means. I can not at this moment explain what the gentleman thinks is a discrepancy between the two statements. Possibly the gentleman from Alabama [Mr. MULKEY], whose constituents are interested in the portion of the stream in Alabama and also in that part in Florida, can explain.

Mr. FREAR. I did not want to make him responsible for the engineer's act, because I do not think the engineer himself can explain.

Mr. MULKEY. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. MULKEY. I think the statement of the gentleman should not go unchallenged as to this particular river. I happen to live at the head of navigation on the Choctawhatchee, in the town of Geneva. And the river from that point to the bay is 120 miles in length. I happen to go up and down the river twice a year in a gasoline launch. If the gentleman would go down there and take one of those fishing trips with me and encounter the snags and the timber and the rocks, as we do,

and have to go overboard occasionally, he would not only be willing to give us this appropriation, but he would be willing to augment it.

Now, there is a large class of people below me for 30 or 40 miles who practically have no market. The country is filling up. The lack of market is due to the fact that we can not get transportation on the river by which their wants as to merchandise can be supplied, and through which they could get their commodities to market. The upper portion of the river has been navigable for years. Steamboats ran regularly from Pensacola to Geneva for a number of years, and ought to run now in the interests of the people and the merchants. The navigable portion of the river is 120 miles in length. I know that to be true. I wish to disabuse the mind of the gentleman to the effect that it is only 46 miles. I wish to state that the appropriation for this object is absolutely worthy, but inadequate. Thirty thousand dollars, I believe, is the amount. I hope the gentleman will not insist upon his opposition to it, and I feel that if he knew the facts as I do he would not. [Applause.]

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the yeas seemed to have it.

Mr. DONOVAN. Mr. Chairman, a division.

The CHAIRMAN. The gentleman from Connecticut calls for a division.

The committee divided; and there were—ayes 7, yeas 57.

So the amendment was rejected.

Mr. DONOVAN. Mr. Chairman, I did not hear the result.

The CHAIRMAN. The yeas were 7 and the yeas were 57.

Mr. DONOVAN. Mr. Chairman, I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Connecticut makes the point of no quorum. The Chair will count.

Mr. DONOVAN. Mr. Chairman, I withdraw my point of no quorum. The body can proceed to business.

The CHAIRMAN. The gentleman from Connecticut withdraws the point of no quorum. The Clerk will read.

The Clerk read as follows:

Alabama River, Ala.: Continuing improvement and for maintenance, including the Alabama and Coosa Rivers between Montgomery and Wetumpka, \$125,000.

Mr. FREAR. Mr. Chairman, I move to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Wisconsin.

The Clerk read as follows:

Page 18, strike out lines 1, 2, and 3.

Mr. FREAR. Mr. Chairman, I would say this in respect to the paragraph, that I dislike to be placed in a position of striking out the entire appropriation, although there may be a sufficient amount of money on hand to take care of it.

But I want to call attention to what has occurred on the Alabama River. The total appropriation has been \$1,214,000 and there was allotted last October \$50,000, leaving a balance of \$63,609. The existing project has a 4-foot depth from Wetumpka on the Coosa River. In October, 1914, the maximum draft to Montgomery was 2½ feet. Between Montgomery and Wetumpka it was 2 feet. The variation of water was 59 feet. The commerce reported is 250,000 tons; logs and timber rafted, 73,000 tons; and does not cover other timber. Snag boats reported trees removed, 130; logs removed, 529; snags removed, 145; piles, 138; logs from banks, 137; overhanging trees clipped, 577; trees trimmed, 60; total, 1,196.

The point I want to make is this: On page 669 appears this statement:

One of the barge lines established in 1910 has been abandoned.

I realize the condition on that river may be sufficient to cause the abandonment of a line of boats. I will ask the chairman if he can give us any light on that or reason for that in view of the fact that there is \$63,000 now available, or whatever the amount is, for improvement on that river?

Mr. TAYLOR of Alabama. Mr. Chairman, I will answer the gentleman to this effect: If the gentleman had noticed more closely, he would have found that this sum of \$125,000 was the largest amount yet appropriated for that particular project. It is due to the fact that it is for 15 months instead of the ordinary time of 12 months' appropriation. When the matter was up before the committee we sent for the engineer, to know whether it could be reduced. The reply was it could not be, because of the longer time to elapse before another appropriation could be had.

As to the barge line the gentleman speaks of, I do not know the details of it. I did not expect such an inquiry. It did not strike me as important. All I knew about it was what I read

casually in a newspaper. I think the temporary stoppage of the barge line grew out of some trouble down at my end of the river at Mobile. But it did not affect the merits of this project, so far as I can understand.

Mr. DENT. Mr. Chairman, will the gentleman yield?

Mr. TAYLOR of Alabama. Yes.

Mr. DENT. I happen to know that one of the reasons why this barge line was temporarily discontinued was due to the fact of unusually low water for about 15 or 20 miles below Montgomery during the particular season of the year when the principal produce shipped out of Montgomery—that of cotton—was being handled.

The appropriation is for the purpose of making this river deeper; and whenever the depth reaches a point that the line can be operated all the year round from Montgomery, the capital of the State, to Mobile, then the merchants of Montgomery themselves will see that this barge line is continued, as they have done heretofore. [Applause.]

I desire to add in this connection the following item, appearing in the Montgomery (Ala.) Advertiser of January 15, as follows:

RIVER TRAFFIC TO MOBILE OPEN AGAIN—NAVIGATION OF ALABAMA WILL BE RESUMED AT ONCE IS ANNOUNCEMENT—SCHEDULE BEGINS TUESDAY.

River navigation will be resumed between Montgomery and Mobile. This was the text of an announcement made by the transportation committee of the chamber of commerce yesterday afternoon.

The river steamer *America* will reach the Montgomery wharf Saturday afternoon and will leave with a full cargo early Sunday morning bound for Mobile and intermediate points.

The regular schedule will begin next Tuesday afternoon. A river steamer, probably the *Peerless*, will reach Montgomery every Tuesday afternoon between 4 and 7 o'clock and will leave the next morning early for the return trip to Mobile.

Earl G. Lutz has been appointed the local agent for those promoting the new river line, and he is authority for the statement that this line is permanent.

I call attention to the fact that in 1909 the city of Montgomery, in its municipal capacity, established a modern wharf, which permits free loading and unloading at any stage of the river.

The freight of all descriptions on this river during the calendar year 1913 amounted to 153,295 short tons, of the value of \$6,141,808. It is unnecessary to say more in behalf of this item of the bill.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin [Mr. FREAR].

The question was taken, and the amendment was rejected.

Mr. MANN. Mr. Chairman, a moment ago the Chair reserved his decision on the point of order which I made on page 17, lines 11 to 18. Upon refreshing my recollection of what took place last year on this item, I wish to withdraw my point of order.

The CHAIRMAN. The point of order is withdrawn.

Mr. HUMPHREYS of Mississippi. Mr. Chairman, just to suggest what was not put in the RECORD a moment ago, I desire to say that on the Alabama River last year there was something more than \$6,000,000 of commerce.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Tombigbee River, Ala. and Miss.: For maintenance of improvement from the mouth to Demopolis, Ala., \$54,500, and from Demopolis, Ala., to Walkers Bridge, Miss., \$10,000; in all, \$64,500.

Mr. MOORE. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the subject of the Chesapeake & Delaware Canal. I asked it yesterday, but I am inclined to think it was not granted.

The CHAIRMAN. The gentleman from Pennsylvania asks unanimous consent to extend his remarks in the RECORD on the subject of the Chesapeake & Delaware Canal. Is there objection? There was no objection.

Mr. MOORE. Mr. Chairman, a short time ago some question was raised with regard to the Suwanee River in Florida. I think the objection was based very largely upon poetic grounds. The Suwanee River has a place in history, and I hope in practice it works out as well as in popular song.

Mr. DONOVAN. A point of order, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. DONOVAN. The gentleman from Pennsylvania is not talking to the subject matter before us.

Mr. MOORE. Mr. Chairman, the gentleman has no music or poetry in his soul. I was beginning to approach the subject in a perfectly parliamentary way. I said that reference had been made to the Suwanee River as a poetic stream. Evidently up in the gentleman's district they do not appreciate music.

The Tombigbee River is a stream which is just as classic as the Suwanee. Ballads have been written about it, prose has been woven about it, men have spoken eloquently upon it,

swains have paddled their canoes upon it, but I have seldom heard anyone describe its usefulness as an artery of commerce. I desired to know whether there was anyone in the House who could tell us just why we should spend this large sum of money, \$64,500, upon a stream that is famous chiefly in song and story.

Mr. DONOVAN. Does the gentleman expect me to answer his question?

Mr. MOORE. I had not thought of it. I usually ask a question with the expectation that some one will answer who knows something about the subject. Therefore I would not be apt to ask the gentleman from Connecticut.

Mr. DONOVAN. The gentleman might at least propound his questions in a parliamentary way.

Mr. MOORE. I am still within my rights, Mr. Chairman, I think, speaking in my own time.

Mr. MADDEN. I think there is only one man on the floor of the House who understands the Tombigbee River, and that is my friend from Mississippi [Mr. CANDLER]. I suppose he could answer the gentleman.

Mr. MOORE. Now that is a happy suggestion. The gentleman from Mississippi [Mr. CANDLER] is usually on the floor. I have been wondering whether he could tell us about this interesting item of the Tombigbee.

Mr. TAYLOR of Alabama. This is not his part of the river.

Mr. ADAMSON. The gentleman from Mississippi does not fool with the big end of the river. It is the little poetic end of it with which he is familiar.

Mr. GOULDEN. I submit that he knows all about it, from one end to the other.

Mr. MOORE. "On the Tombigbee River, so bright, I was born, in a hut made of husks of the tall yellow corn." I think that is the way it goes. Now, if the gentleman from Mississippi can not find inspiration there, I would be glad to have him explain the financial part of the item.

Mr. CANDLER of Mississippi. That is very easy to do, Mr. Chairman. There is no question but that this is one of the most magnificent rivers in all the world. It is known in poetry and song. It has inspired poets. It would inspire anyone who has the milk of human kindness in his soul. It has inspired the most beautiful poetry in all the world.

Mr. MOORE. Does the gentleman favor spending this sum of \$64,500 on the Tombigbee River?

Mr. CANDLER of Mississippi. Why, certainly.

Mr. ADAMSON. I hope the gentleman from Pennsylvania will not interrupt his own witness. He has brought him out and he is estopped from interfering with him.

Mr. MOORE. I was doing it dreamingly, in my own time, which was more than the gentleman from Georgia was doing, for he was borrowing time which belonged to me—and time is precious.

Mr. ADAMSON. I made a point of order, and that did not come out of anybody's time.

Mr. MADDEN. I should like to ask the gentleman if this river sleeps in its own bed?

Mr. FREAR. Before yielding to the gentleman from Mississippi I just want to state the facts and to ask a question of the gentleman from Mississippi, who is probably familiar with the river.

The CHAIRMAN. The Chair will recognize the gentleman from Wisconsin.

Mr. FREAR. I am not going to strike out this item, because the appeal of the gentleman from Mississippi starts the milk of human kindness—

Mr. MOORE. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. MOORE. The gentleman from Wisconsin has just indicated that he does not intend to strike out this item. My parliamentary inquiry is, Can the gentleman, being but a single Member of the House, strike out the item?

Mr. FREAR. I accept the correction of my friend from Pennsylvania. To follow along his line of argument, I will state that there has been spent upon the Tombigbee River so far \$9,901,295.

Mr. DONOVAN. Will the gentleman permit an interruption?

Mr. FREAR. Yes.

Mr. DONOVAN. I did not hear the amount the gentleman stated.

Mr. FREAR. There has been expended on the river \$9,901,295.

Mr. DONOVAN. Nearly \$10,000,000.

Mr. SPARKMAN. That is, on the whole system of rivers there.

Mr. FREAR. Yes. The commerce has amounted to 64,523 tons, including timber and stone to the amount of 48,492 tons, leaving a balance of 16,031 tons besides timber and stone.

Mr. MOORE. And the appropriation here contemplated is \$64,500?

Mr. FREAR. It is \$64,500.

Mr. MOORE. On a tonnage of what?

Mr. FREAR. The tonnage is 64,523, including 48,492 tons of timber and stone.

Mr. MOORE. That is a good river to sing about.

Mr. FREAR. I wish to ask a question, which I am going to put to the gentleman from Alabama. To my mind, this is of much importance to the committee. The engineer's report, on page 690, states:

Such a traffic was inaugurated during the fiscal year by a fleet of six self-propelled steel barges, each of about 1,000 tons capacity, transporting coal from a point on the Black Warrior River near Gilmore, Ala., to New Orleans. Due to the unfinished state of the project, upon the approach of low water operations had to be abandoned, 31,865 tons having been shipped to New Orleans.

I wish to ask the gentleman whom I interrupted a few moments ago whether or not it has been found practicable to undertake a commercial business upon that river with a 63-foot lock, with six barges, as has been stated by the engineers, who report that it has been abandoned? Is it possible to do that in the future, no matter what provisions you have made for the river?

Mr. TAYLOR of Alabama. In the judgment of the committee, not until the river is made navigable. You can not run barges until the river is made navigable.

Mr. FREAR. What would be the probable expense?

Mr. TAYLOR of Alabama. Let me answer your question as you put it.

Mr. FREAR. I was going to supplement it by asking what, in the judgment of the gentleman, would be the probable expense of making the river navigable. I am not asking technically, for I could get that from the engineer's report, but in a general way?

Mr. TAYLOR of Alabama. I see that the gentleman is not asking it technically.

Mr. FREAR. No; because I could get that from the engineer's report, providing anybody knows.

Mr. TAYLOR of Alabama. The Tombigbee River, as a matter of fact, not as the gentleman has it in his mind, begins in the central part of Alabama.

Mr. DONOVAN. Mr. Chairman, there is no motion before the House at the present time.

Mr. FREAR. Mr. Chairman, I thought I moved to strike out the last two words.

The CHAIRMAN. The gentleman is discussing the subject matter of the paragraph and will proceed.

Mr. TAYLOR of Alabama. Mr. Chairman, the Tombigbee River starts with the name of that river from Demopolis, and 50 miles above Mobile it joins with the Alabama and makes the Mobile River. At Demopolis it goes northwest into the State of Mississippi and is called the Bigbee River. To the right and northeast to Tuscaloosa it is called the Warrior River, and from Tuscaloosa up to the forks it is called the Black Warrior River. At the forks it is called the Mulberry and the Locust Forks.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. TAYLOR of Alabama. I ask for five minutes to answer the gentleman's question.

The CHAIRMAN. The gentleman will proceed.

Mr. TAYLOR of Alabama. The river in Alabama is known and called in its several parts from head to mouth the Black Warrior, the Warrior, the Tombigbee, and the Mobile. That is the entire length of that river. That is the waterway that has cost in the neighborhood of \$9,000,000. This project will be finished as a canalization by the completion of the lock and dam at Lock 17. It is not finished to-day, but it is expected that it will be finished early in January. I expect to see it finished, at least, by the 1st of March, 1915.

Above Lock 17, as originally reported, there were four locks to be built, and in 1911 or 1912 these four locks were merged into one to save expense and to make better slack-water navigation. This one dam was raised to 63-foot lift, making it one of the highest dams in the United States. That lock and dam have been pushed expeditiously by the contractor, and, I am informed and believe, will be finished in this month or by spring. Then there will be navigation throughout. There never can be navigation to reach the Great Warrior coal fields until Lock 17 is completed. My information is that barges are now ready to take advantage of that business just as soon as this lock is finished.

It is necessary that they should have the \$54,500, so the engineers say, and that is the lowest sum that could be safely appropriated at this time in this bill in order to put into opera-

tion the canal upon which the \$9,000,000 has been expended. If the gentleman desires any further information, I will be glad to give it to him.

Mr. CANDLER of Mississippi. Mr. Chairman, my previous remarks were made as a preface to making later a statement in reference to the commerce. In response to the question of the gentleman from Pennsylvania, my good friend Mr. MOORE, as to whether I thought this appropriation was justifiable, I will state I certainly do think so, as the commerce on the river as shown by the report was 287,034 tons, of a value of \$4,925,490. The gentleman from Alabama [Mr. TAYLOR], who has just taken his seat, gave a history of the improvement of the lower part of the river. The improvement on the lower part, of course, should be done before the improvement on the upper part, which will bring splendid results. There is no question about the commerce; there is no question about the value. We want the money to open it up, and we will show that it is a good investment for the United States. [Applause.]

The CHAIRMAN. Without objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Channel connecting Mobile Bay and Mississippi Sound, Ala.: The \$20,000 conditionally appropriated by the river and harbor act approved March 4, 1913, for improvement of said channel by way of Grants Pass is hereby made available for maintenance of the existing improved channel by way of Pass aux Herons.

Mr. DONOVAN. Mr. Chairman, I move to strike out the last word. This item looks to me as though it was a great deal like the proposition which was offered last night, which was not allowed. I think it was the Maryland proposition, if I remember rightly. All they asked was an appropriation to be allowed that had not been expended, that had been voted at some previous time.

Mr. SAUNDERS. It was for Virginia.

Mr. DONOVAN. Well, whatever it was. Here the committee is asking that \$20,000, heretofore conditionally appropriated, be made available for this particular channel. Is that the channel which it was originally appropriated for, I will ask some member of the committee? I do not seem to get any reply.

Mr. TAYLOR of Alabama. I did not understand the gentleman's question.

Mr. DONOVAN. They tell me there are twenty-odd members of the committee here, and I do not know whether they are neglecting their duty or not.

Mr. TAYLOR of Alabama. I would be very glad if the gentleman would confine himself to questions, if he is addressing me.

Mr. DONOVAN. I am not necessarily questioning the gentleman from Alabama. Is this appropriation by this act for the same channel that it was originally appropriated for? Is it for the channel between Mobile Bay and Mississippi Sound? Was it originally voted for that?

Mr. TAYLOR of Alabama. I can not answer the question without stating exactly the conditions.

Mr. DONOVAN. Take all the time I have—go ahead.

Mr. TAYLOR of Alabama. Oh, no.

Mr. DONOVAN. It is information that we want.

Mr. TAYLOR of Alabama. I will endeavor to give it to the gentleman. There was a pass, called Grants Pass, connecting Mobile Bay with Mississippi Sound for many years, owned by old Capt. Grant, whose rights in that pass, which it was thought were absolute, have been practically vested in the Catholic Church in the city of Mobile. The right to make charges and collect tolls was claimed on vessels passing through what is called Grants Pass. For many years there has been considerable agitation of the question in Mobile, and sometimes in Congress. At last a survey was ordered to establish definitely a pass that would be satisfactory from Mobile Bay into Mississippi Sound, either by way of the Pass aux Herons or Grants Pass, which lay very close together. On the report of the engineers the following law was enacted as part of the river and harbor act of 1913:

Improving channel connecting Mobile Bay and Mississippi Sound, Ala.: The project adopted by the river and harbor act approved July 25, 1912, may, upon recommendation of the Chief of Engineers and approval of the Secretary of War, be modified to include the whole or any part of Grants Pass: *Provided*, That all rights claimed in and to Grants Pass shall be released and surrendered to the United States, and that any saving or difference in the cost of actual construction that may result from the use of any or all of Grants Pass may, as compensation for said rights, be paid to the present owners of the pass or their assigns: *Provided further*, That the total cost of the completion of the project shall not be thereby increased except to the extent of \$20,000, which amount is hereby appropriated: *Provided further*, That not more than \$20,000 shall be paid in any case for all rights claimed in and to said Grants Pass.

The \$20,000 so appropriated conditionally is still in the hands of the Government. Every effort has been made to have the

War Department so construe the language that that \$20,000 could be paid over to the owners of Grants Pass, but the legal authorities who have investigated the matter say that that was not the meaning of the law and that it can not be done. Therefore that money remains in the Treasury unexpended. The engineers called for \$20,000 for maintenance this year at Pass aux Herons, and when we were trying to cut this bill as much as we could, asking whether \$20,000 was not too much, whether it could not be cut, they said no, but that there was a fund which had already been appropriated and was unexpended and which could be diverted and used for maintenance at this pass. If the gentleman will read the language of the act, he will find that that was exactly what is done in this bill.

The CHAIRMAN. The time of the gentleman from Connecticut has expired.

Mr. DONOVAN. Mr. Chairman, I move to strike out the paragraph for the purpose of getting further information.

The CHAIRMAN. The gentleman moves to strike out the paragraph.

Mr. DONOVAN. This is true, is it not, that the \$20,000 originally appropriated was for another place, another channel from this pass for which it is going to be appropriated. Is that right?

Mr. TAYLOR of Alabama. I do not think that is true.

Mr. DONOVAN. But this Grants Pass was a private way, so to speak. It was claimed to be a private right.

Mr. TAYLOR of Alabama. It was claimed to be a private right. It was originally granted by the State of Alabama.

Mr. DONOVAN. Is this improved channel the same place?

Mr. TAYLOR of Alabama. No; it is Pass aux Herons, and the two run side by side.

Mr. DONOVAN. Then it is a different place where this money is to be used?

Mr. TAYLOR of Alabama. No; it is the pass that the engineers reported to Congress, that was adopted by Congress, and is now called Pass aux Herons.

Mr. DONOVAN. But you got rid of meeting this question of private ownership and private interest, is that it?

Mr. TAYLOR of Alabama. No; we did not get rid of that at all. That question can come up. I have so advised the owners and will be very glad to help them in any way to bring this matter up as a matter of claim, but not through the river and harbor appropriation bill.

Mr. DONOVAN. Mr. Chairman, I withdraw the amendment.

The CHAIRMAN. The gentleman from Connecticut withdraws the amendment, and the Clerk will read.

The Clerk read as follows:

Pascagoula Harbor, Miss.: For maintenance of channels through Horn Island Pass, Mississippi Sound, Pascagoula River, and Dog River, \$15,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. Out of deference to the gentleman from Mississippi [Mr. HUMPHREYS], I am not going to move to strike out the paragraph; in fact, it is an inquiry I wish to make, if I can get enlightenment from him. I will give the facts, and then I will ask the question. The past appropriations for this project have amounted to \$1,312,153 and this item of the bill carries \$121,000, with \$30,123 on hand July 1, 1914, for a channel with a proposed depth of 25 feet. The part I wish to call attention to is this: On page 730 the engineer says that under the present contract local interests must give assurance to contribute \$100,000, at \$20,000 per annum, and also 800 feet of wharf. Dropping down to page 2209 of volume 2, the engineer says this:

It is believed the wharf will be built and the payment of \$100,000 will not have to be made by local interests.

What is the reason the contribution of \$100,000 first insisted upon by the engineers is not made, and why has the change occurred?

Mr. HUMPHREYS of Mississippi. I will yield to the gentleman from Mississippi [Mr. HARRISON], in whose district this is.

Mr. HARRISON. Mr. Chairman, I will say to the gentleman that this improvement at Pascagoula, Miss., is not new. We have been expending money there for quite a while and through these appropriations they have built up quite a large commerce there. The commerce at Pascagoula now approximates \$7,000,000 annually, and their desire is to obtain approximately 22 feet depth. The reason why the \$100,000 conditional provision was stricken out was because the Board of Engineers, after having investigated it thoroughly, and the committee as well, concluded it was an unfair condition that they had imposed upon the Pascagoula people. For instance, the estimate for the 17-foot channel at Pascagoula which they now have was \$1,050,000. The 17-foot channel which they have now finished cost the Government practically \$800,000.

Mr. FREAR. At this point may I ask the gentleman what is the character of the commerce?

Mr. HARRISON. The character of the commerce is largely lumber.

Mr. FREAR. Is there a sawmill in operation there?

Mr. HARRISON. There are a good many sawmills there, as well as other large industries.

Mr. FREAR. That is what I assumed.

Mr. HARRISON. Also naval stores and things of that kind, but largely lumber; so the Government on the 17-foot project really was saving about \$250,000 or \$300,000 from what the Board of Army Engineers estimated it would cost to build a 17-foot project, and when the 22-foot project was estimated at a cost of \$383,000 they imposed a condition there—notwithstanding the fact that the harbor did not cost within \$200,000 to \$300,000 of the original estimate of the engineers—that at Moss Point and Pascagoula, which are 4 miles apart, public wharves must be provided. The citizens had no objection to that. They are small towns, with 2,500 or 3,500 people living there. They have provided these public wharves at an expense of about \$50,000. The wharves at one of these towns cost, I think, \$20,000 and the other \$25,000. When this unjust \$100,000 condition was placed before the Board of Army Engineers they said: "We will not approve this project of \$353,000 without the condition being complied with, but we will cut it down to \$283,000, and allow the expenditure by the Government of that much, provided the two towns provide these public wharves and the citizens pay for it, so that such depth can be procured there as possible with an appropriation of \$283,000." We hope to obtain the 20-foot or 21-foot channel with the appropriation.

Mr. FREAR. Mr. Chairman, I do not care to strike out the paragraph, and as I said I do not intend to pursue that course hereafter simply to get facts, but what I do desire to say is this, that this project emphasizes the fact, in my judgment, that it is improper under present conditions to leave these questions to Army engineers to determine for themselves what amount should be charged up against a locality. Here is a community which is required to pay a certain proportion while another is relieved, and injustice occur necessarily in many cases.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FREAR. I ask for two minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from Wisconsin. [After a pause.] The Chair hears none.

Mr. FREAR. For that reason, Mr. Chairman, it occurs to me that the present system is indefensible.

Mr. CALLAWAY. Will the gentleman yield for a question?

Mr. FREAR. In just a moment. I will give way to the gentleman in a moment. I desire to say that the Army engineers are not more competent to pass upon these questions nor do they pass upon them with any degree of accuracy, because conditions are very frequently modified. It seems to me the responsibility should be delegated to some one else if a contribution is to be imposed in any case. Take this case. Here is practically a sawmill operation by which there is something like 20,000 tons, of which 15,000 is charcoal. Now, they impose this charge. I think the responsibility ought not to be left with the Army engineers.

Mr. KENT. Will the gentleman yield for a question?

Mr. FREAR. I will.

Mr. KENT. I would like to ask the gentleman, who has made a study of these questions, whether he believes the Army engineers in their report pass upon the feasibility, the real commercial feasibility, of a project, or whether they simply say that this can be done regardless of expense?

Mr. FREAR. They assume to pass upon the commercial possibility and set those questions out in their report and give the possibilities of commerce very frequently. As to their ability to do so, I do not believe they are competent to do so.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield?

Mr. FREAR. Certainly.

Mr. HUMPHREYS of Mississippi. The gentleman says they assume to do it. The law requires them to do it.

Mr. FREAR. I presume that is true.

Mr. HUMPHREYS of Mississippi. And while I agree very largely with what the gentleman says about the Army engineers perhaps not being better qualified than anybody else, does he not think they are as well qualified to determine—

Mr. FREAR. I think a board composed of men of the high character, such as the members of the Interstate Commerce Commission, that would measure the possibilities of commerce, would be far better able to handle such matters.

Mr. CALLAWAY. Mr. Chairman, I move to strike out the last word. Is it not a fact that these Army engineers are

usually West Pointers, that go into West Point before they have ever had any experience in business, and we spend \$22,000 educating them as scientific engineers, and they come out in the Government service and draw a monthly stipend? As a general thing the men passing on this are not experienced men at all in operating business on their own hook, where they necessarily must make their business pay a dividend. Is it not a fact that these are the men that this committee is handing up to us each day as passing on these projects as to whether or not they are good commercial investments, men that were not required ever to earn their living in the marts of trade or any other business, but have drawn a salary all their lives?

Mr. TAYLOR of Alabama. Will the gentleman allow me to suggest something right there?

The CHAIRMAN. Does the gentleman yield?

Mr. CALLAWAY. I will.

Mr. TAYLOR of Alabama. The Panama Canal was dreamed of 400 years ago. The first dream that ever came was in the mind of a Spanish engineer. He was not a railroad engineer—I mean, he did not drive an engine—but he was a civil engineer under the Spanish King, and he dreamed of opening the canal between the two oceans. For 400 years that matter was dreamed of, talked of, thought of. France took it and tried to carry it on for a number of years along the line the gentleman speaks of. Men of intelligence, men of high engineering capacity, men of importance, men of affairs—but they failed. The United States took it up, and put it in the hands of such men as the gentleman speaks of, and very properly, and for a time they tried it—but they failed. The canal was never built until a United States engineer took charge of it, and now it is a finished thing. [Applause.]

I want to say the man who has the highest credit for the building of it, Col. Goethals, was educated on the Tennessee River in Alabama, and learned there how to build the Panama Canal; that the man who built the Gatun Dam at Panama was born in Alabama and educated on the Tennessee River along the very line we are discussing here of river and harbor improvement. His name is William L. Siebert. He built the Gatun Dam and stopped the mighty torrent of the Chagres River. In the days of old, when Canute spoke as a king, before the days of the kings of commerce and the kings of finance, and stood at the ocean side and ordered the sea to stand still, it paid no attention to him. But when you put an Army boy, an Army engineer educated at West Point, in front of the Chagres River, which had stampeded France with all her intelligence, at the end of 10 years, under the charge of William L. Siebert and of Col. Goethals and of Col. Gaillard and all those other gentlemen educated at West Point, it stood still, and to-day it is still. [Applause.]

Mr. CALLAWAY. Mr. Chairman, that is a very eloquent speech.

Mr. TAYLOR of Alabama. One minute, my friend.

Mr. CALLAWAY. I have never said anything about the capacity of these men to determine whether or not a thing could be done. The question is not whether these projects can be carried out if you put money enough in them. The point that I made was, and the question that ought to concern this House is, and the question that concerns these people that put up the money is, whether or not this is a good investment from a business viewpoint.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CALLAWAY. I ask unanimous consent for three minutes, Mr. Chairman, in order to complete my statement.

Mr. TAYLOR of Alabama. The gentleman was discussing the Army engineers, and I thought I would give him a little light on the subject.

Mr. CALLAWAY. You want to give light, but you run into the darkness with your candle. That is the way with this committee. It does not meet the issue at all. It was not a question of whether or not a project is feasible after these engineers have passed on it. Of course they are educated to determine whether or not a thing can be accomplished. They go there and work out their plan and determine its feasibility. They are educated with capacity to do that. They can tell whether or not it can be done. But they have no experience in earning money. They have not gone out into the highways and byways of commerce and labored to make a dollar bring back a dividend. They have never had any experience of that kind, and when they come in with the feasibility of a project, we can say, "Oh, yes; you are to determine whether or not it can be done." But when you go to determine whether or not it is a proper outlay of our money, then we ought to come to the front and determine, after they have given us the expert and scientific knowledge, whether or not our dollars put into that

proposition are going to bring back a dividend on the investment.

I hire a doctor to come and doctor me, and I take his medicine because I look to his scientific knowledge. I hire an engineer to go and lay out a proposition for me and determine whether or not it can be done, what the expense of it will be; but when that is done I determine for myself whether or not I want to carry that proposition out and put my money into it. I do not ask him to determine whether or not my money shall go into it, and this is the thing I am objecting to in following these engineers' reports. I say—and there is no question about the rightness of it—that they have had no experience in the world of business; they have never earned their dollars. They have worked to determine whether a thing can be done. We wish to follow them so far as their scientific knowledge can determine those questions, and then put our experience and observation to it to determine whether or not we want to put our money in it.

Mr. SWITZER. Will the gentleman yield for just a question?

The CHAIRMAN. Does the gentleman from Texas yield?

Mr. CALLAWAY. Yes.

Mr. SWITZER. Does not the gentleman think the Army engineers are as competent as anybody he could pick to gather statistics under the law, with the appropriations Congress makes for such purpose?

Mr. CALLAWAY. That is not the thing I am talking about. I said that they could gather statistics, and should. You want us to follow them as to whether or not we put our money into it.

Mr. SWITZER. Another thing.

Mr. CALLAWAY. Blaze away.

Mr. SWITZER. Is it not a fact that they gather all the facts pertaining to a proposition, and report on them to the Congress, that go to the Rivers and Harbors Committee, and the Rivers and Harbors Committee first passes on them and then this House passes on them?

Mr. CALLAWAY. Are you not a member of the committee?

Mr. SWITZER. Is it not a fact that—

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. CALLAWAY. Mr. Chairman, I ask for three minutes more. I have not heretofore taken up much of the time of this committee, Mr. Chairman, and I have consistently and persistently opposed these measures for three years, and I think I ought to be heard on matters like this when members of the committee are shooting at me.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph end after three minutes.

Mr. MANN. I would like to have five minutes.

Mr. SPARKMAN. Mr. Chairman, I ask that all debate on this paragraph end in eight minutes, then.

The CHAIRMAN. Is there objection? Who is to have the eight minutes?

Mr. SPARKMAN. Three to the gentleman from Texas [Mr. CALLAWAY] and five to the gentleman from Illinois [Mr. MANN].

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

Mr. PARKER of New York. Mr. Chairman, does the gentleman yield?

Mr. CALLAWAY. The gentleman from Ohio [Mr. SWITZER] asked me to yield to him.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

The CHAIRMAN. The gentleman from Texas [Mr. CALLAWAY] is recognized for three minutes.

Mr. SWITZER. Mr. Chairman, does the gentleman claim that the Committee on Rivers and Harbors is bound by the report of the Army engineers as to whether a project will be a paying proposition or not? Is not that matter left to the Committee on Rivers and Harbors and to the Congress?

Mr. CALLAWAY. Under the law, according to the statement of the gentleman from Mississippi [Mr. HUMPHREYS], they are required to find that.

Mr. HUMPHREYS of Mississippi. But we are not required to follow them.

Mr. CALLAWAY. Of course; neither is the House required to follow you; but it does, just as sheep follow the bellwether.

Mr. HUMPHREYS of Mississippi. The House follows its own judgment in the matter. The gentleman would not want to handicap the House in that direction, would he?

Mr. CALLAWAY. Is it not a fact that you do follow the engineers' reports, and whenever we question you you cite us to the volumes of engineers' reports as to whether or not it ought to be done, and what the commerce on the river will be? Those

are the things you cite us to. Those were the things I inquired about when I asked about this Beaufort expenditure.

Mr. HUMPHREYS of Mississippi. We do not follow the engineers simply because they make a favorable recommendation. The gentleman is advised that \$100,000,000 of projects have been recommended now that we have declined to accept.

Mr. CALLAWAY. I thought you said \$150,000,000 yesterday, and added: "Just wait until next year; we will attend to them then."

Mr. PARKER of New York. Mr. Chairman, will the gentleman yield?

Mr. CALLAWAY. Yes.

Mr. PARKER of New York. Has the gentleman explained why the Committee on Rivers and Harbors has not done exactly what he advocated?

Mr. CALLAWAY. I have never outlined a policy to anybody to follow at any time.

Mr. PARKER of New York. It seems that the Army engineers have made their estimates as to whether a proposition is feasible or practicable, and it is left to these gentlemen to determine whether it would be commercially profitable or not.

Mr. CALLAWAY. Are you a member of the committee?

Mr. PARKER of New York. I am not.

Mr. CALLAWAY. Did you hear the gentleman say that under the law it was left for the engineers to determine? He said they were required to determine whether or not the proposition was feasible.

Mr. PARKER of New York. I did not so understand any member of the committee.

Mr. CALLAWAY. Under the law they are required to report whether or not it will be a paying proposition.

Mr. PARKER of New York. Pardon me, will the gentleman state that again?

Mr. CALLAWAY. Under the law the engineers are required to find that, as a proposition, according to the statement of the gentleman from Mississippi [Mr. HUMPHREYS].

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. MANN. Mr. Chairman, it would be fair to say that what the gentleman from Texas [Mr. CALLAWAY] refers to is a provision for a survey of new projects. We insert an item in the bill requiring the engineers to survey new projects. Under the law they are prohibited from making a recommendation until they first determine whether it will be a profitable investment, and that is what the law provides.

Now, gentlemen have referred to the Army engineers with as much opprobrium as they could. Some gentlemen have insisted that we ought to have, not the opinion of Army engineers, but the opinions of business men, men who make money for themselves and for the corporations which they represent. I am going to give an illustration of the kind of opinions we get under such circumstances. The river and harbor engineers reported some provision—and I will not refer to what it is—concerning Chicago and Illinois. The Committee on Rivers and Harbors in reporting the bill did not include all of the money which the engineers have said might be profitably expended, and thereupon I received this letter from a business man, and other letters like it from business men—men of great reputation, some of them. I have received letters along the line of this one, which I will show, from heads of great banks, from heads of great corporations, all great business men, of great business experience, making lots of money for themselves and their corporations. Here is a letter which I ask leave to extend in full in the RECORD.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] asks unanimous consent to extend his remarks by inserting a letter in the RECORD. Is there objection?

There was no objection.

Mr. MANN. It is from the secretary of the Illinois delegation to the 1914 National Rivers and Harbors Congress, Mr. John J. Commons, addressed to the members of the Illinois delegation to the Rivers and Harbors Congress, asking the people to write in reference to this resolution:

Resolved, That each member of the Illinois delegation write each Senator and Representative from Illinois urging him to use his best endeavor to have the Committee of Commerce of the United States Senate restore to the rivers and harbors bill of this session the amounts recommended for Illinois projects by the House of Representatives at the last session of Congress.

The big business men think we have not provided enough, and the secretary of this delegation, for fear that the big business men might not have acumen enough to write a letter to a Member of Congress, says:

I am inclosing a suggestion for a letter to our Senators and Representatives.

Here is the letter. I have received a number just like it. It is intended to be addressed to us:

Knowing that you are interested in everything beneficial to the State of Illinois, and I being especially interested in waterway development, I take this means of urging the necessity of strenuous action on your part toward getting appropriations passed in the Senate, and Congress as originally recommended by United States Army engineers. I was appointed a delegate to the Rivers and Harbors Congress and have given this matter much thought, and consider it extremely unfortunate that Illinois claims were ignored to the extent of cutting off parts of appropriation that were so badly needed.

The people in our district are in sympathy with the original recommendations, and I personally would be greatly indebted if you would use your influence toward increasing instead of decreasing appropriations for waterways in Illinois.

The letter accompanying this form letter reads as follows:

JANUARY 9, 1915.

DEAR SIR: As secretary of the Illinois delegation to the 1914 National Rivers and Harbors Congress, I am instructed by the delegation to notify you that the following resolution was adopted:

Resolved, That each member of the Illinois delegation write each Senator and Representative from Illinois, urging him to use his best endeavor to have the Committee of Commerce of the United States Senate restore to the rivers and harbors bill of this session the amounts recommended for Illinois projects by the House of Representatives at the last session of Congress.

It is imperative that you, and others who have influence with our legislators, urge them to make every effort to restore to the rivers and harbors bill the amounts recommended by the Army engineers. Chicago harbors need every dollar recommended by the engineers, and any amount less than the original recommendations should not be thought of.

Each of the 132 delegates appointed by Gov. Dunne are being requested to write each Senator, as well as each Representative from their district, and I trust you will find time to give this matter your attention. I know you are busy, but busy men are the ones who do things, and your influence and the influence of the other delegates may force our lawmakers to give this matter the attention it deserves.

I am inclosing a suggestion for a letter to our Senators and Representatives, but expect, of course, that you will use your own language. A letter along this line has the indorsement of Mr. M. F. Rittenhouse, chairman of the Illinois delegation; Mr. T. Edward Wilder, Illinois vice president of the Rivers and Harbors Congress; Mr. E. J. Kelly, of the sanitary district; and others.

Please advise if we may expect your influence in our effort to restore the appropriation above mentioned, and oblige,

Yours, very truly,

JOHN J. COMMONS,
Secretary Illinois Delegation to the 1914
National Rivers and Harbors Congress.

This is the way the great business men act upon these propositions. [Applause.] They have a letter sent out, personal in character, to be sent to the Senator or Members of Congress, telling how much they know about the subject, when the man who sent it assumed that they did not know enough to write a letter about it. That is the way big business men handle these things. Thank Heaven, that is not the way Army engineers handle such propositions. They figure them out on their merits and not on personal solicitation.

The CHAIRMAN. The question is on the motion of the gentleman from Texas [Mr. CALLAWAY] to strike out the paragraph.

Mr. HARRISON. Mr. Chairman, there was not a motion to strike out the paragraph. There was a motion made by the gentleman from Wisconsin [Mr. FREAR] to strike out the last word, merely pro forma.

The CHAIRMAN. If there be no objection, the pro forma amendment will be withdrawn and the Clerk will read.

The Clerk read as follows:

Pascagoula and Leaf Rivers, Miss.: For maintenance, \$18,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word, for the purpose of calling attention to a statement made by the Army engineers in reference to commerce at this point, and which is characteristic of other items throughout the bill. The question is whether or not their judgment is to be accepted in reference to such items.

On Leaf River I notice that the commerce is 335,010 tons, according to the report of the engineers, of which timber and logs amount to 335,000 tons and the merchandise to 10 tons. I assume that that is a mill, or something like that, because that would probably be the case in a project of this character. Ten tons of miscellaneous commerce is significant.

But returning to the question of the Army engineers, the gentleman from Illinois [Mr. MANN] states, and very properly, that it would be unwise to leave these questions to men who have a personal interest. Why, certainly. If the gentleman will let me take the letterhead from which he read a moment ago—the gentleman states that the letter has gone to the Clerk's desk, but I had a copy of it in my hand this morning—it is from the Portland cement headquarters, and the writer of the letter sends out in the name of the rivers and harbors congress, to these various people who are members of that congress, asking them to write to the gentleman from Illinois and other Members who are interested in the Illinois projects, telling them what to do. No; you would not put men of that character in charge of an enterprise of this kind, to pass upon

these projects. Portland cement people and dredgers and contractors should be left out. The suggestion is that men of standing throughout the country, like members of the Interstate Commerce Commission, men of that kind ought to be qualified—high-class men who would not be subject to political pull. No one says that Goethals is not qualified. No one says that Hodges and Gaillard are not of the same type. I have met them all.

Mr. MANN. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. MANN. I have received these letters from men drawing as high as \$50,000 a year salary.

Mr. FREAR. I presume so. Salary means nothing at all.

Mr. MANN. Able men than anybody here.

Mr. FREAR. Assuming that they are able than the gentleman from Illinois, who is one of the ablest to be found, any man who is interested or likely to be interested in a project ought not to be appointed in such a place. Men who draw more than \$50,000 a year have been hammering the Interstate Commerce Commission for months. But men of that type, appointed by the President, selected for the purpose of determining some system of waterway improvements and passing upon these projects, would be highly capable and ought to be removed from political influences. Think of the condition read here the other day when I showed a report where the Army engineers had rejected a project three times, and then 11 Members of Congress, two of them Senators, went before the board and demanded that they change their opinions, and they changed them. They had rejected the project three times. I can not believe, Mr. Chairman, that all the good is in the Army engineers, nor do I believe they should be intrusted with this important work. When I see these constant changes in projects, these constant amendments of opinions, these constant increases in amounts to be appropriated, and when I see the character of the propositions presented with the engineers' approval I can not believe the engineers are infallible. In fact, I believe we will get no material relief from present conditions until we take all projects out of the hands of Army engineers.

Mr. EDWARDS. Will the gentleman tell us whether he knows of any perfect man or any perfect body of men?

Mr. FREAR. No; I will concede that; and I will also concede that it is a very hard proposition for the members of your committee. I know that it is.

Mr. EDWARDS. Will the gentleman also tell us, and will not the gentleman admit, that perhaps of all the men of the country who ought to know about engineering problems the Army engineers are the best equipped for that?

Mr. FREAR. Oh, yes; so far as carrying out engineering problems.

Mr. EDWARDS. Does not the gentleman think that impartial men who are fitted for this particular service will give it the most impartial consideration?

Mr. FREAR. Yes.

Mr. EDWARDS. And will the gentleman—

Mr. FREAR. I can not yield any more time. I want to answer the gentleman, and he keeps asking me more questions. I want to say in response that that is true, but, as the gentleman from Texas [Mr. CALLAWAY] says, men who have had no personal experience in business, who have no qualifications for business, are not competent to handle these responsible duties and ought not to be set at the task of determining the commercial possibilities of any project.

Mr. HUMPHREYS of Mississippi. I move to strike out the last word, just to ask one question of the gentleman, on the paragraph, and not on this general debate. Does not the gentleman in all candor believe it worth while to spend \$6,000 a year on the Leaf River, which floats \$2,000,000 of commerce?

Mr. FREAR. If it is simply for the benefit of a sawmill, and there is nothing except 10 tons outside of the timber and logs, I should say that the condition of Mattawan Creek is precisely on the same level. As to the policy of making an improvement for the purpose of benefiting a particular institution, I should disagree to that.

Mr. HUMPHREYS of Mississippi. This is to float \$2,000,000 worth of commerce.

Mr. FREAR. It is immaterial how much. It is a question of the purpose, whether public or private.

Mr. HUMPHREYS of Mississippi. It is a commerce that everybody is interested in. It matters not whether it is lumber, coal, or ore.

Mr. FREAR. Let me make my answer clear to the gentleman.

Mr. HUMPHREYS of Mississippi. If the gentleman will pardon me for a moment, it matters not what it is or to whom it belongs just so it enters into the commerce of the world. Now, all of this is for export. This goes to the sawmills down

there, and you notice that the value is \$8 a ton. The value of ordinary logs is \$2 or \$3 a ton. This value of \$8 shows that much of the timber is sawed. Does not the gentleman think it is worth while to spend \$6,000 a year to make that stream navigable in whatever way is necessary in order to get \$2,000,000 of commerce out to the sea?

Mr. FREAR. The gentleman has asked a very fair question. Let me endeavor to answer it just as fairly. If it is for the benefit of one mill or two mills standing there, I should say no. I do not believe in appropriating public moneys for private concerns. If that is proper to be done, then I admit that the Government may make contributions to any individual or any particular interest.

Unless it is for the public welfare to be served by navigation at that particular point, I can not understand how we are justified in using the taxpayers' money, whether it is in Wisconsin, Arkansas, or Mississippi.

Mr. HUMPHREYS of Mississippi. The gentleman does not say that there is anything in the record showing that there is only one sawmill here?

Mr. FREAR. No; I do not say that. It is the principle I am speaking of.

Mr. HUMPHREYS of Mississippi. I am talking about this particular item. The gentleman does not think that this is an unfair appropriation?

Mr. FREAR. I should want more information about it. I have said that there are only 10 tons of merchandise, and all the rest are logs and timber, and apparently a sawmill is located there to be served by this appropriation.

Mr. HUMPHREYS of Mississippi. A good many sawmills.

Mr. FREAR. Well, I do not know about that, I am speaking about the principle, and the general benefit to be subserved.

Mr. HARRISON. Will the gentleman yield?

Mr. HUMPHREYS of Mississippi. I will yield to the gentleman.

Mr. HARRISON. I want to say that it is not the sawmills alone that are benefited, but the people who live along the river and own the timber and float it down are benefited, and because of these appropriations the river is made navigable so that these people are enabled to float their logs to the sawmills and to obtain a good price for their logs and timber. It is a great benefit to the people who live along the river.

The CHAIRMAN. The pro forma amendment is withdrawn, and the Clerk will read.

The Clerk read as follows:

South Pass Channel, Mississippi River: For maintenance, \$50,000.

Mr. WATKINS. Mr. Chairman, I offer the following amendment.

The Clerk read as follows:

Page 20, between lines 11 and 12, insert:

"Red River, La.: For maintenance from its mouth to Fulton, Ark., \$100,000."

Mr. WATKINS. Mr. Chairman, I recognize the difficulty and the almost impossibility of securing the passage of any amendment to this bill. I wish, however, to say in the beginning that I have nothing but the kindest feelings for every member on the Rivers and Harbors Committee. They are all personal friends of mine, and I would not say anything to detract from their work or reflect upon them in any way whatever. But in considering the proposition of rivers and harbors throughout the United States one of the most deserving rivers is that of Red River, La., Ark., Tex., and Okla. For 475 miles that river is not only navigable, but until the last two years, which I will give a reason for later, it has been navigated for more than 50 years. This is not a new project. Not one dollar is allowed for it in this bill. This river serves to regulate the freight rates for more than 1,000,000 people, running through the districts of five Members of Congress, each of which has a population of over 200,000. As I say, it is the distributing point up and down and regulates freight rates for the benefit of more than a million citizens of this country, and still not one dollar is provided for it in this appropriation bill.

There have been various projects adopted for this river; the last one was that of 1882. From that time to this there has never been an appropriation bill but that has provided for this river until the one of last year.

Now, Mr. Chairman, I wish to call the attention of the committee to these facts. I ask the attention of every Member on the floor, including every member of the Committee on Rivers and Harbors. I have not said what I have about the members of the Committee on Rivers and Harbors with the hope of getting a vote from any member of that committee, but I am speaking to the membership outside of the Committee on Rivers and Harbors. There is not a river in Florida, with 30 projects, in Mississippi, with its vast projects, or in Alabama, with its

number of projects—there is not one that has the merit that Red River has. While I say I do not expect a vote from a single member of the Rivers and Harbors Committee, I do expect that the Committee of the Whole will heed what I say and grant this deserving relief.

Last year for the first time the committee left out the appropriation for Red River in Louisiana, Texas, Mississippi, and Arkansas. Immediately the schedule of rates for freights was fixed up by the various railroads running into the city of Shreveport, La. Shreveport is a city of 40,000 inhabitants. It ships 250,000 bales of cotton per annum under normal conditions, and \$15,000,000 worth of timber was billed out of that city in 1907. The commerce on this river serves to keep the freight rates down for that city as well as numerous other towns and cities along the river. They have now been notified that the rate on cotton bagging and ties will be raised from 10 to 20 cents. They have not been authorized to raise the freights yet, but it is in contemplation. They have offered to do it, and will do it unless the cities along this river are to have the benefit of navigation. That is an increase of 100 per cent. You take all the various articles down the line and they have proposed to raise the freight rates from 100 per cent, 200 per cent, and 400 per cent. The last article that I see is salt, a necessary article in every home, and they propose to raise that from 10 cents to 40 cents, or 400 per cent. This is on an application to increase the rates and charges. In this particular list I do not see that of cotton, but there are several other commodities. The only contention, so far as I know, by the committee is that right at this particular time and last fall there were no boats plying the river, and the only reason for it so far as I know is the fact that the river is full of logs and snags. The fourth congressional district, which I have the honor to represent, is the largest lumber-producing district in the United States. The State of Washington is the first producer of lumber and the State of Louisiana the next, and the fourth congressional district—my district—is the largest producer of lumber of any congressional district. There are vast quantities of timber, various kinds of staves, lumber, logs, and things of that kind being shipped continuously, and in cases of overflow, where these logs have been cut near the banks of the river—

The CHAIRMAN. The time of the gentleman from Louisiana has expired.

Mr. WATKINS. Mr. Chairman, I ask unanimous consent to proceed for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WATKINS. In cases of overflow these logs have been washed into the river, and their ends projecting up make navigation dangerous. The last steamboat which went down the river had the bottom of it knocked out, and she now lies tied up to the wharf in New Orleans waiting for these logs to be taken out. It is only because of this physical condition at this time that it is dangerous to use steamboats, and the river is now not being used. But the people are waiting now for the logs to be taken out, and they are now in communication with the steamboat lines for the purpose of inducing them to put a new line of steamboats in the river just as soon as the logs are removed, and this snag boat is now standing tied up to the banks of the river, I suppose, for want of appropriations. At the last session of Congress there was a small balance of appropriations which lapped over from the year before and that was used as a reason for not allowing the appropriation at the last session, but that would last but a very few months, even at that time, and it long since has been exhausted.

This is not a new project, and all I ask now is to have the Members vote upon the recommendation of the Board of Engineers. If we are to have a board of engineers by which we are to be governed, and if we are to have a criterion by which we are to go, then why not and why does not the committee in this instance go by the recommendation of the Board of Engineers for rivers and harbors? They recommend the expenditure of \$100,000 for this year.

The Board of Engineers from year to year has recommended from \$100,000 to \$250,000, and the appropriations have been made as high as \$250,000 for the entire Red River in all these different States, and the commerce upon that river has been enormous up to within the last recent years; but right at this time, as stated, the reason I have given is the reason why it is not used at this particular time.

I think that in a hasty manner I have covered the various propositions involved; and without referring to this lengthy protest of my constituents, who are indignant, who are outraged at the fact that the entire appropriation has been withdrawn from the bill, without filing it, I will submit it to the

fair and equitable consideration of the House as to whether a river larger than the rivers in any of these other States, more important than the rivers of many other States, except the Mississippi River—whether this river should be entirely ignored and not one dollar of appropriation allowed for it simply and purely because the logs and snags and impediments in the river so completely obstruct navigation that it is dangerous to property and life to have it further navigated.

Mr. ASWELL. Mr. Chairman, these telegrams represent the leading cities and towns between the Arkansas line and the mouth of Red River. They speak the truth. I appeal to the Members of this House to treat Red River fairly. I submit that the river deserves the usual appropriation of \$100,000 annually. It can not be denied that appropriations are recommended by the Rivers and Harbors Committee in this bill for rivers not one-tenth as important or as large, and rivers for which there can not be half the justifiable reason given for such appropriation as is presented by the records I herewith submit in behalf of Red River.

Red River, 1,200 miles long, drains one of the most fertile valleys in the world, and all that is needed to place upon it all the commerce necessary amply to satisfy the members of the Rivers and Harbors Committee is for a reasonable appropriation to be made to encourage the people to build up the traffic, which they are doing and are anxious to continue to do if they can receive reasonable encouragement from the Federal Government. By the removal of one sand bar the river would be navigable the year round as far north as Alexandria.

I sincerely hope that this amendment will be adopted, and that Red River will not be treated so wrongly and in a manner so unjustifiable by this committee.

I serve notice now upon the House that at an early date there will be presented a measure carrying into effect the report of Gen. Bixby for the purpose of creating a Red River commission to organize and systematize the improvement of Red River on a scale that I trust will meet the hearty indorsement of the Congress.

The enormous lumber interests, oil and other mineral deposits adjacent to this river, which find their only outlet through its course, make it imperative that this \$100,000 be annually appropriated until the larger and more comprehensive plan of improving the river can be put into execution.

I again most earnestly appeal to the members of the committee to agree to this amendment.

The river has been so neglected that no report has been made of the commerce on the river since 1910, and none then on the timber and oil products of that great valley. As explained by the chairman of the Rivers and Harbors Committee in defending the Florida rivers, the engineers have not had enough money to keep the river navigable.

The work on Red River by the Federal Government began in 1828, and has had continuous support from the Federal Government for maintenance except between 1841 and 1852 and 15 years after 1857, until the last Congress. The existing project, which is not complete, was begun in 1882 and has been continued until last year. Certainly you can not turn this amendment down on your usual excuse that it is a new project.

In his report to Congress for 1914 the Chief of Engineers of the United States Army says:

The amount that can be profitably expended in the fiscal year ending June 30, 1916, for the work of improvement and maintenance of Red River is \$100,000.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. ASWELL. Yes.

Mr. CALLAWAY. The gentleman says the only excuse for not making the appropriation for this river is that the commerce has decreased on the river. If that is a good reason for discontinuing the appropriation, it would be so with reference to every inland river in this country, even the Mississippi and the Ohio.

Mr. ASWELL. It would.

Mr. CALLAWAY. And every other river.

Mr. ASWELL. Mr. Chairman, in reply to the gentleman from Texas, I will say that the chairman of the Committee on Rivers and Harbors made the best possible answer to the criticism made against the Red River when he defended himself for appropriating large sums of money for rivers in Florida, even though their commerce had decreased 30 per cent.

Under leave to print, I insert the following:

The report of the Chief of Engineers of the Army for 1914, page 867, is as follows:

The existing project now provides for continuing improvement from Fulton, Ark., to the Atchafalaya River, La., by the systematic clearing of the banks to remove the source of drift and snags; continuing snagging operations and the removal of jams and raft; dredging tow-heads and shoals; constructing a substantial system of levees to fix the

course of the river, either alone or by cooperating with riparian States; the closure of all outlets that deplete the river; the fixing of caving banks to confine the river to the selected channel; and the prevention of injuries to regimens by new cut-offs or outlets. The nature of the improvement is such that no estimate for its completion can be given. The estimated cost to maintain improvement is \$100,000 a year, exclusive of extraordinary demands for new plant that will arise from time to time.

On pages 841-842, the following appears in the Chief of Engineers' Report for 1913:

The commerce reported for the 18 years ending June 30, 1907, ranging in quantity from 66,370 to 279,946 short tons per annum, with estimated values of from \$1,506,500 to \$9,185,000. The average for the 18 years was 123,244 short tons, valued at \$4,359,900. To this should be added the commerce from Ouachita River, entering Red River at the mouth of Black River, the average of which was 178,070 short tons, valued at \$6,229,560, making a total of 301,314 short tons, valued at \$10,589,460.

Traffic in timber products has increased on the river, which alone affords an outlet for them.

The project has effected a reduction on freight rates on all commodities.

The amount estimated as a profitable expenditure in the fiscal year ending June 30, 1915 (\$100,000), is to be applied as follows: Care and renewal of plant, \$25,000; maintenance by snagging and clearing, \$50,000; improvement by dredging, \$25,000.

On March 30, 1914, Maj. Frank M. Kerr, chief State engineer of Louisiana, writes as follows:

I have no hesitation in asserting, from many years' experience, that for a stream of its length and magnitude and importance there has never been a year, in all the long years of the past during which it has been under consideration, in which the Government appropriations for the improvement of Red River have ever been anything like adequate.

Except for raft removals, snagging operations in the main stream and in contiguous lake regions, the overhead expenses and cost of maintaining the plant necessary for this, extending over quite a period of time, spasmodic efforts to promote the proposed restoration of navigation, by way of the lake region, between Jefferson, Tex., and Shreveport, La., some little harbor work, now and then, here and there, and for a year or so, about the time of the organization of the Caddo, Bossier and Red River, Atchafalaya and Bayou Boeuf Levee districts, when some small part of the levee work required under the then proposed projects for the Caddo and Bossier Levee districts was assumed by the National Government, no real, systematic, and comprehensive advance, due to inadequate Government appropriations by the National Government, has ever been possible on Red River.

The result is that Red River, from source to mouth, in spite of local effort here and there along its length, is at best still in an untamed and uncontrolled state.

In Louisiana more advance along this line has been rendered possible, because of the longer and somewhat more strenuous efforts put forth during the past 20 years or so by its riparian dwellers and property owners, the outlay, with little encouragement from the Government, reaching, at this date, within that period, with projects at present under way, upward of \$5,000,000.

A world of corrective work, from the point of view of navigation, as well as for restraining floods, is therefore still required on Red River.

Red River, just like the Mississippi River, also suffers greatly from caving banks. This condition is intensified by its extreme tortuousness, cut-offs, steepness of slope, and, where so far confined, to the enlargement of section consequent.

Realizing to what a serious extent the interests of navigation, the preservation of its lines of public levee, and the protection from floods of its riparian lands were affected by this ever-recurring menace, one local district alone on Red River, the Caddo Levee district, in addition to extensive levee work, drainage work, and rectification of channel ways, has recently undertaken to treat the greater number of the most aggravated caving banks on Red River within its limits with bank-protection work.

With such a good example as that set by the Caddo Levee district, it would certainly appear reasonable that the National Government should not much longer fail to accord substantial recognition to at least this important factor in river control on Red River, with its far-reaching influence over improving navigation and flood prevention, as well as of the numerous other features connected with the development and preservation of Red River as a great waterway for Louisiana, and elsewhere throughout its course.

J. B. ASWELL, Washington, D. C.

MARKSVILLE, LA., January 13, 1915.

You are earnestly requested to do all in your power to secure appropriation of funds to improve Red River. Large area of fertile lands are rendered useless by annual floods, and the stopping of navigation is threatened. Limited revetment work in certain localities would pay Government.

J. W. JOFFRION,
C. C. GASPARD,
I. B. LEMOINE,
J. M. BARHAM,
W. F. COUVILLON,
AMET GUILLOT.

BOYCE, LA., January 14, 1915.

HON. JAMES B. ASWELL, Washington, D. C.:

We need more appropriation for the continuance of traffic, as the open river traffic gives us very low freight rates, thereby placing the necessities of life where the people at large get the benefit. Urge larger appropriations, as appropriations have been too small to be of benefit.

J. E. RAY,
H. A. JOINER,
D. K. TEXADA,
J. DAWSON JOHNSON,

J. G. BAKER,
JOHN WOODARD,
J. E. GRISSOM,
R. H. GRANT.

CAMPTI, LA., January 14, 1915.

HON. J. B. ASWELL, Washington, D. C.:

We, the undersigned citizens of Campti, La., urge you to use your influence in Congress to obtain a fair appropriation for the improvement of Red River, as navigation is now conducted on the south end from Alexandria, La., and in our opinion it will be only a short while before navigation will be resumed on the north end. If same is not taken care of now, when navigation is resumed it will be very expensive to open said river for navigation.

E. C. Readhimer, I. Rappiel, T. S. Hightower, A. A. Rappiel, C. D. Keator, Frank J. Maricelli, Jr., R. E. Hammett, B. B. Roubieu, S. L. Perry, E. W. Breazeale, R. H. Simmon, R. H. Perot, E. W. Perot, W. F. Teer, J. R. Maybon, F. G. Gallaspy, J. T. Sompoayrac, Dan Leahy, Edgar Jarriet, Arthur Crocker, Will Crocker, J. A. Genius, Robert Hart, J. A. Prudhomme, J. D. Simpkins, W. L. McKnight, A. M. Gillen, J. B. Gillen, Joe McIntyre, G. E. Prothro, P. A. Cloutier, J. E. Cloutier, F. Robieu, H. N. Listage, G. J. Gillen, C. G. Prot, M. D. A. F. Trichell, Frank Garza, W. H. Huckaby, P. Birdlong, Joe Merchant, James Gregg, G. Crocker, W. J. Smith, J. C. Perot, L. L. Wallett, Sill Cralmer, Pink Merchant, Pert Roberts, John Plunket, R. S. Taylor, Joseph Sauce, Joe Deriso, A. Gourdon, L. Versia, W. G. Woodard, John Woodard, Ludy Hale, J. O. Vascocue, Lute Wallett, Edward Wallett, Ralph McKnight, E. B. Fleming, Rene Lowe, Edgar Perot, S. J. Mayeaux, R. A. Prouciau.

ALEXANDRIA, LA., January 13, 1915.

HON. J. B. ASWELL,

House of Representatives, Washington, D. C.:

We maintain traffic on Red River between New Orleans and Alexandria and all way landings by weekly trips of steamer *Omaha*. The stage of water would permit the removal of snags and sand bars between Alexandria and Black River and will permit traffic as far up as Alexandria the year round. There is no reason why the river should not be made navigable all the way to Shreveport. The thousands of people living along this stream, the next in importance to the Mississippi in the South, are badly in need of the transportation this river can be made to furnish.

W. D. HAAS,

President Alexandria Chamber of Commerce.

COLFAX, LA., January 13, 1915.

HON. J. B. ASWELL, Washington, D. C.:

We insist that appropriation be made. No care taken of river in so long that it has run wild, filled in from caving banks, become more crooked, and less susceptible to navigation. If river is straightened it would deepen itself, and we would have no trouble in restoring navigation. Thirty-six boats were once kept busy in Red River. With locks river would be navigable at all times. If this course was observed by the Government, it would largely protect the valley from inundation.

C. H. TEAL,
J. H. MCNEELY,
J. Q. LONG,
T. M. WELLS,
A. B. PERKINS,
E. H. BLACKWOOD,
J. W. DUNCAN.

E. S. MURRELL,
M. E. SWAFFORD,
F. B. COLE,
J. B. ROBERTS,
J. A. HYDE,
N. P. BARTON.

SHREVEPORT, LA., January 12, 1915.

HON. J. B. ASWELL, Washington, D. C.:

Traffic manager of chamber of commerce now in New Orleans for purpose of effecting an arrangement with barge line to enter Red River permanently. Chamber of commerce has acted as body with cooperation of city officials. We recognize the dire importance of navigation in Red River, and are going to spare no pains nor expense looking to this end. Shreveport is thoroughly alive to the opportunity and will not be found wanting.

GEORGE M. HEARNE, President,
ARDIS & CO.
FOSTER & GLASSSELL,
CRAWFORD, JENKINS & BOOTH,
THE HICKS CO.

Mr. GOODWIN of Arkansas. Mr. Chairman, as has been stated by my colleagues from Louisiana [Mr. WATKINS and Mr. ASWELL] this is not a new project. About 1913 the Chief of Engineers made a recommendation that the improvement of this river be made and made an estimate of something in excess of \$6,000,000. That report was predicated upon the theory that the Federal Government would be assisted by localities and States, such as levee districts and the like, and acting upon that theory the various localities upon Red River have proceeded to tax themselves until within my State alone the people have paid out already in the last few years over \$1,175,000. That does not, of course, include the appropriations and taxation made upon the people themselves above or north of Fulton, Ark., nor does it take into consideration the appropriations made by levee assessments south of Arkansas, and for many hundred miles in the State of Louisiana. Notwithstanding this is not a new project, being a continuing one, this committee does not bring in one red cent for Red River. Red River has a drainage area of 97,000 square miles, much more than many of the rivers combined in this bill which have received many million dollars in the past and several hundred thousand dollars of appropriations carried in this bill.

The Yazoo River alone, if comparison may be made, and I do not desire to make an invidious comparison, has a drainage

area of only 13,850 square miles. The great Ohio River has 102,000 square miles of drainage area. Red River, as I said, has 97,000 square miles of drainage area. The length of Red River, I believe, is 1,300 miles, rising way down in New Mexico, flowing eastwardly, separating the States of Oklahoma and Texas, then taking a southeasterly course, going through the southwestern part of Arkansas, and emptying into the Mississippi River about 150 miles above the city of New Orleans. This is one of the greatest cotton countries in all the earth, raising a peculiar grade of cotton, the long-staple cotton. It grows in my district near Red River, and has a special quotation upon the Liverpool market, bringing a higher price than any other upland cotton grown in the world. Now, the length of Red River is about 1,300 miles, as stated, many hundred miles of which have been made navigable and have been navigated until the past two or three years, when the Congress failed and refused to make sufficient appropriations. In length it exceeds the combined length of the Savannah River; the St. Johns River, of Florida; the famous Tombigbee River, of Mississippi and Alabama; and the Sunflower River, in the State of Mississippi. I submit, Mr. Chairman, that notwithstanding the recommendation made by the Chief of Engineers to appropriate the sum total only of \$380,000 for the first year, the amendment of my colleague [Mr. WATKINS] upon this occasion asking for only \$100,000 is certainly reasonable. I do not stand here as an enemy of river appropriations—worthy appropriations. I think if I have made any reputation at all, and it is very small along any line, it has been as a promoter and as favoring meritorious river appropriations where they are needed.

The gentleman from Georgia [Mr. EDWARDS] says that the engineers are the ones who are the authority upon these matters. I shall not make any assaults upon the committee, who are my friends. I believe they have done the best they could, but I submit, Mr. Chairman, that the committee has not followed punctiliously or in a way at all uniformly the recommendations of the engineers. Those recommendations have been wholly disregarded in many States not represented by the committee. This last year when \$20,000,000, a lump sum, was appropriated and left to be distributed by the War Department, the State of Arkansas received \$440,000. Now, if in the distribution of last year by the War Department we received \$440,000 upon meritorious projects, I submit, gentlemen, that the sum carried in this bill for Arkansas appropriations of \$41,000, a good part of which Louisiana receives, is inadequate and wholly disproportionate. We have, as Mr. CARAWAY, my colleague from Arkansas, said in his speech the other day, more miles of navigable streams in Arkansas, counting the Mississippi River which borders the eastern side of our State, more navigable water in our State than any other State in the country. It receives the pittance of \$41,000. I submit, gentlemen, that if I were acting wholly upon the theory that our State is not getting the proportionate part of the appropriation, I might then recur and puncture, so to speak, those items set forth in the bill which, in my opinion, are unmeritorious. Here is this great expanse of country—97,000 square miles of area—producing cotton, sugar cane, and a great quantity of commercial output—

The CHAIRMAN. The time of the gentleman has expired.

Mr. HARDY. Mr. Chairman, I wish to say that for the Committee on Rivers and Harbors I have not only the very highest esteem, but the highest opinion in every respect, and I dislike to get away from them on any part of this bill, the more so because I have listened here for hours and hours to criticisms of the committee on grounds that are not tenable. If they have committed a fault in this bill it is a fault by way of being too conservative and by way of being influenced by the "pork-barrel" cry that has been raised in sundry interested quarters as well as by sundry people who think they are speaking for the public good. There are those in this country interested in preventing the waterways from being made navigable. Great railroad interests seem to control many of the great daily newspapers, and it is the seemingly railroad-controlled papers that are week after week pouring into the ranks of this committee their charges of "pork-barrel" legislation. [Applause.] You can notice the papers loudest in their denunciation of almost any restraint upon railroads and most insistent on allowing the roads to increase their freight rates; these same papers without exception are denouncing this committee as a "pork-barrel" committee. I happen to know that in my State where we have no water competition or possibility of it there, the railroad rates were advanced to the very highest, which to my mind is a convincing reason why the railroads want no waterway improvement and why all their influences are against

it. Railroad owners are human and if a waterway actual or potential cuts down their rates they don't want that waterway.

From this very town of Shreveport, on Red River, before it was left off of the river and harbor appropriation bill, they had—that is, the railroad had—a rate on cotton to New Orleans of 18½ cents per 100 pounds, or maybe it was 19 cents, while we were paying for a less distance in Texas 55 cents per 100 pounds. This abandoned river is the great Red River. Running into the Mississippi, the father of waters, you have the Missouri on the west, the Ohio on the east, the Red River and the Arkansas on the west, and the Tennessee on the east, which, in the order as I have named them, are the great rivers of the greatest and most fertile valley of this continent, and they fit into the framework of the water system of the United States, which, when they are made navigable, will enable us to ship the products of the great valley down to the Gulf; and then by the intercoastal canal, when it is completed, there will be a perfect framework, by which one portion of our country can communicate by water with the other portions. And when we pass laws rightly prohibiting cutthroat competition by the railroads, we will have cheaper freight rates for the coarser commodities and for all slow freight.

Let me explain what I mean by cutthroat competition. There are railroads from St. Louis, from Memphis, from Cairo, to New Orleans and to the Gulf. The Mississippi River also runs from these cities to the Gulf. Now everybody knows that a good freight boat can carry a cargo of any kind of freight from and to any of these cities or the Gulf cheaper than the same cargo can be carried by rail—but the rail route can carry it quicker—consequently on the basis of fair and equal competition the river naturally and really would carry most of the nonperishable, slow, and bulk freight, while the roads would carry the more perishable and costly freight which demanded quick transportation. Left to fair competition, both river and roads would get a fair and just share of the freight. There would never be any congestion of freight in the railroad offices of these cities, and the Mississippi would be covered from St. Louis to its mouth with great vessels loaded with logs and lumber and cement and coal and cotton and hundreds of other commodities, while the roads would carry most of the high class and package freight. But the river is confined to its bed. It has no tentacles that can reach out into the country away from its banks except the railroads, and there are but few centers of commerce or points of origin of freight on its banks, and by refusing reasonable cooperation and accommodation with water transportation, making high rates from the interior to river points, and low rates from one river point to another river point, they can without lessening the aggregate amount of freight collected actually starve river navigation to death. All this they have done and will continue to do so long as our laws permit them. They levy the tribute of unjustly high rates on interior points in order to be able by unjustly low rates from river points to kill water transportation. Their selfish purpose is to secure the whole transportation of the United States for the roads, and then having destroyed all competition, to reap a rich harvest of an aggregate high rate for the whole. They have followed this practice wherever it was possible and wherever they have been allowed by law to do it. In this way they can lower their rates from St. Louis or Memphis or Shreveport below possible water rates, and I have actually seen railroads hauling saw logs down the bank of the Mississippi River. This is what I call the railroad cutthroat method of competition.

When we learn a little more we will get to the point where we can amend the laws so that the railroads can not make the Mississippi River dry, practically, as they have done in the past. I have been on that river when it was practically dry so far as freight was concerned. When we have a great system of waterways and our laws reformed so as to enable us to get the benefits of it, we will have a reduction in the general burden of freights borne by the people of this country. It is no wonder that when the great railroad systems, who want to monopolize all the freights of this country, see a chance to charge pork-barrelism against this committee, they are quick to do it. It is hard to see good men fall into the meshes of their arguments and join in their clamor without losing respect for their good sense. They come here and charge "pork barrel," and just appropriations are refused. It was not right to leave out of this bill the Red River or any other great project that so long has had the support of Congress.

Mr. CALLAWAY. Will the gentleman yield?

Mr. HARDY. If I can get more time.

Mr. CALLAWAY. I will ask for it.

Mr. HARDY. Very well.

Mr. CALLAWAY. You say that the general burden of freight rates will be lessened on the backs of the people. Is it not a fact that the Interstate Commerce Commission has just said that burden is not heavy enough on the backs of the people and have allowed the railroads to increase their rates 5 per cent?

Mr. HARDY. You have asked the question, and I will answer it.

Mr. Chairman, the freight rates of this country are from time to time regulated by our Interstate Commerce Commission. Undoubtedly, the aggregate of the freight rates must be enough to pay actual expenses of the railroads that carry the freight and give them a fair profit, but I say that if you will enable the waterways to carry the heavy freight and the slow freight, and very much of the bulk freight, there will not be so much freight for roads to carry, they will carry what they do carry at fair rates, and all water-bound freight will be carried at far less rates than the roads can carry it. What the railroads want to do is to monopolize all the freight. They want to carry every bit of it and my friend CALLAWAY's course is helping them; and then they want such rates as will enable them to get high pay for carrying it all. Under the conditions I have described they can do this if we as lawmakers let them. We have made a beginning toward preventing this cutthroat method of the railroads, by our last laws on the subject, but we have not gone far enough. When we have advanced our great waterway system further toward completion, men like my friends from Texas and Wisconsin will see the light, and help us to give to waterways their just share of our freights at their cheaper rates and not be fooled into joining the railroads to oppose all waterway improvements. It has been said here to-day that the average freight rate per ton per mile in the United States is 7 mills. That is approximately true. But the average rate per ton per mile on my cotton and on yours is 4 cents, or about 44 mills, for the simple reason that in our country there are no competing waterways. These railroads went before our State railway commission and said that if they reduced the rate on cotton from 55 cents to 50 cents a hundred pounds it would bankrupt the roads. And yet those railroads while charging us 55 cents for 250 miles were voluntarily carrying cotton from Houston to New Orleans, 390 miles, but in competition with a waterway, at 12 cents a hundred pounds. They can figure! And they sometimes pull the wool over the eyes of commissions.

I say that when this country does its duty we will have a river and canal system like that of France, where you can carry a package by water from the southeastern corner of France to the northwestern without ever taking it off of the water. And when you get that system you will not have the railroads congested with freight which they can not carry. They will carry high-class freights and get high-class rates for it, and the cheaper freights will go by water and at lower rates.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. HARDY. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent for five minutes more. Is there objection?

Mr. MANN. Mr. Chairman, reserving the right to object, I will say that I do not intend to do so. But I would like to inquire if the amendment of the gentleman from Louisiana is still pending?

The CHAIRMAN. Yes, sir.

Mr. MANN. Can not we reach an agreement as to the time for debate?

Mr. HARDY. I suppose the chairman would like to have such an agreement. I have no objection.

Mr. MANN. We have had half an hour on it now.

Mr. SPARKMAN. Mr. Chairman, I ask unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes, the gentleman from Texas [Mr. HARDY] to control five minutes and the gentleman from Mississippi [Mr. HUMPHREYS] five minutes.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that all debate on this paragraph and amendments thereto close in 10 minutes, the gentleman from Texas to have five minutes and the gentleman from Mississippi five minutes. Is there objection?

Mr. WINGO. Mr. Chairman, reserving the right to object, where is this amendment supposed to be inserted?

The CHAIRMAN. To be inserted after line 11 on page 20.

Mr. WINGO. That will simply close the debate on this paragraph?

The CHAIRMAN. Close the debate on this amendment. Is there objection?

There was no objection.

Mr. HARDY. Mr. Chairman, I want to appeal to this House in behalf of this amendment, and to the Committee on Rivers and Harbors. The great Ohio River has been a wonderful blessing to her people, because they still continue to use it. The great Mississippi River might be a wonderful blessing to the whole country, but by unfair means in our railroad-rate regulations it has been largely caused to be the same as a dry stream. The time will come when our country will get its waterways in better condition than they are now, when some of the blessings, such as were pointed out by the gentleman from Pennsylvania [Mr. BARCHFELD] as having come to the city of Pittsburgh from water transportation, will come to us everywhere. It will come when our Congress will adopt a law under which the railroads can not use cutthroat methods to secure a monopoly of transportation and when a great portion of our transportation of commodities will be on our rivers. We are a pitiful exhibition of statesmanship if we let the thousands of miles of navigable rivers in our country run to the ocean without being laden with freight while the railroads monopolize transportation, part of which they ought not even to attempt to take.

Here is the Red River, that for a long time has helped those people along its borders cut down their freight rates to a reasonable amount, now made dry because the appropriations have been stopped. There is no more deserving stream among all our inland waters. It affects the State of Arkansas and the State of Texas and the State of Louisiana and parts of Oklahoma. It is a great river, second only to the Ohio, with its tributaries, running into the Mississippi River; and yet for some reason the railroads were permitted by cutthroat methods to reduce their rates at Shreveport and other river towns while raising them at inland points till they killed transportation on this river, and we now second the operations of the railroads and cut off appropriations entirely, allow the river to fill with snags, and are apparently going to do nothing more till traffic resumes on the river.

Mr. Chairman, I do hope that this cry of "pork barrel," raised here and by the great newspapers of the country, will not deter us from doing our duty. We have a duty to perform to the whole people. I would like to have it known what are the interests that are fighting river and harbor appropriations. They are the great interests back of great newspapers that fight it every year, and it is the railroads that want to monopolize freights and raise their rates at every opportunity.

Mr. FREAR. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Texas yield to the gentleman from Wisconsin?

Mr. HARDY. Just one moment. I think I can anticipate the gentleman's question and thus save time. I know that Members here who are fighting different items in this bill have nothing in the world to do with these influences. I intended to say that. I have as high a regard for my friend CALLAWAY and for the gentleman from Wisconsin [Mr. FREAR] as I have for any Member, but I do say sometimes it behooves us to look well to the company we are in, and when we find that we are fighting shoulder to shoulder with the great selfish interests of this country the significance of the fact ought to be patent to us. We ought to want to know why the railroads are fighting. They are fighting river and harbor appropriations because they want a monopoly of all freight, common and fine, carload and package, every kind. They do not want the waterways to carry an ounce or a pound or a ton of freight if they can help it.

They know that every waterway decreases their power to tax the people, and that more and more this people will insist on the full, free use of cheap water transportation. I would like to see all our rivers made navigable, and then we shall have, like the backbone of a great whale, the Mississippi River coming down through the center of this country, its ribs running out in the Red River, the Arkansas, the Ohio, the Tennessee, and the Missouri, and pouring the riches of its freights into the cities on its banks and into the Gulf of Mexico, and from there going back through our intercoastal canal around the coast of the Gulf and the Atlantic and up our streams into the interior, giving our people water rates by actual transportation and not by paper calculation and railroad differential rates only. I would like to see the amendment of the gentleman from Louisiana [Mr. WATKINS] agreed to by the Committee on Rivers and Harbors. I believe they ought to do it, and I believe the committee ought to put that appropriation of \$100,000 on this bill and enact it into law. [Applause.]

Mr. HUMPHREYS of Mississippi. Mr. Chairman, I am, of course, sorry that the committee could not see their way clear to incorporate this item of appropriation in the bill, but we were hedged about by limitations that are known and must be appreciated by all the Members of this House on both sides.

This particular item is for the Red River, which is a great river in many respects. There is now pending before the Committee on Rivers and Harbors a proposition to improve this river so as to make it a real commerce bearer, at a cost of several million dollars.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Yes; I yield.

Mr. ASWELL. I merely wanted to ask the gentleman from Mississippi if he does not think it is imperative to continue this appropriation until that larger scheme can be put into effect, because it will require a long time?

Mr. HUMPHREYS of Mississippi. Well, if the committee had thought that, of course, it would have been included. It is a great project, and if put into effect and executed it would make the Red River navigable. But in the opinion of the committee it is utterly impossible to restore navigation on the river by continuing the present project. We have expended nearly \$3,000,000 on it, and yet the commerce has almost disappeared.

Mr. HARDY. Mr. Chairman, will the gentleman allow me a question right there?

The CHAIRMAN. Does the gentleman from Mississippi yield to the gentleman from Texas?

Mr. HUMPHREYS of Mississippi. Let me state the case first. Last year there were 26,000 tons of commerce on the river, and about 24,000 of that was lumber and sand and riprap that floated down the river.

Mr. ASWELL. Does that include the lumber product?

Mr. HUMPHREYS of Mississippi. That included even the lumber product. That includes everything. There were on the river 2 gasoline boats of 42 tons, and 2 steamboats of 497 tons which carried 10 passengers.

Mr. ASWELL. That did not include the traffic below the mouth of the Black River, which is larger.

Mr. HUMPHREYS of Mississippi. This includes all the commercial statistics of the Red River, Louisiana and Arkansas, below Fulton, Ark. From there to the mouth, unregistered, there were two gasoline boats and four barges. Of the 20,000 tons of timber, 15,000 tons went down in rafts. So that the committee felt, under the limitations which, as I said, confronted it, we could not justify the appropriation of \$100,000 for this river. We found that after the appropriation of all this money the commerce continued to decrease and finally practically disappeared. Year before last it was 44,000 tons; then it dropped to 26,000 tons. The steamboats can not navigate that river in the condition it is in, unfortunately, because they can not undertake the hazards. It is very shallow and full of logs, and if the logs are snagged out, as this present project proposes they shall be, the water in the pools simply runs out of the pool above, and we have the same shallow condition as before. It is utterly impossible, in the view of the committee, to make that channel navigable so that it may be made serviceable to the people under the existing project. For that reason the committee thought that the only wise thing to do—not in a spirit of unfriendliness to this project, and certainly not in a spirit of unfriendliness to the State, but the only thing that could be done in justice to the country—was to pass this over until we can take up and give proper consideration to a project that may be of real service.

Mr. HARDY. Now will the gentleman yield?

Mr. HUMPHREYS of Mississippi. Just excuse me for a moment, until I finish. I have only five minutes. The gentleman had 15 minutes; his side has had 25 minutes. I just want to make this brief reply. I know it is charged on the floor, and I know it is charged off the floor, with great vehemence in some cases off the floor, that I am unfair to the State of Louisiana—

The CHAIRMAN. The time of the gentleman has expired. All time has expired. The question is on the amendment of the gentleman from Louisiana.

The question being taken, on a division (demanded by Mr. Goodwin of Arkansas and Mr. WATKINS) there were—ayes 27, noes 64.

Accordingly the amendment was rejected.

Mr. REILLY of Connecticut. I move to strike out the last word. Mr. Chairman, to show that all of the money for river and harbor improvements is not squandered or misspent, and as proof of the great benefit that these appropriations can be to communities, let me read a bit in reference to matters that the committee has already acted upon. I read from a letter printed in the Waterbury American of January 14, 1915, from a person who is visiting in Tampa and St. Petersburg, Fla., after an absence of 15 years. He is not a booster for a river and harbor appropriation. He tells interestingly of changes due in great

part to improvements made as a result of river and harbor appropriations:

The sail across Tampa Bay was beautifully restful after 36 hours on a sleeper. Hillsboro River has been dredged since my last visit, so that now the boats, including some fair-sized sea goers come up into the heart of Tampa. Formerly Port Tampa, far down the peninsula which divided the big Tampa Bay proper on the west from the smaller Hillsboro Bay, was the shipping point for all but very small craft. It was reached by railroad and is, of course, still a busy spot. But our sea trip was about twice as long as the old one—two hours by schedule.

St. Petersburg is my most serious shock thus far. I remember it 15 years ago rather hazily as a slumberous little village, with a rickety wharf, a street of a few ramshackle wooden or brick structures, and a tiny terminal railroad station, from which one train a day arrived and departed from and to Jax, and two little yellow trains, with wood-burning engines, arrived and departed from and to Tarpon Springs, at the head of the peninsula. Yesterday we dropped into a city of paved streets, big buildings, trolley cars clanging in every direction, automobiles blocking traffic.

The old town seems to have been completely wiped out and built over. Central Avenue runs up from the old or Atlantic Coast Line wharf through the middle of the town. The streets are numbered from the water front westward. There are, I think, 15 or 16 of them in the developed area.

All streets, so far as we have seen, are brick paved, running, I should say, from 30 feet upward in width. On each side is a grass plot 15 or 20 feet wide; then a broad, concrete sidewalk and a narrower grass plot outside the property line. There are rows of palmettos which, with their short, thick boles and squatly verdure, give the same impression of formality that you get from boxed shrubs in a big city street. There is good water, sewers, gas, electricity, and fire alarm.

If one wants a temperate tropical climate, with every city convenience, he can not find a better place than this on the eastern coast of this continent, I should say. But it doesn't appeal to me. I still mourn my old, sleepy, enchanting St. Petersburg—this place ought to be "Petrograd"; it isn't St. Petersburg.

And why? Because judiciously spent appropriations by Congress have changed sleepy old St. Petersburg into a modern, up-to-date city. [Applause.]

The CHAIRMAN. By unanimous consent, the pro forma amendment will be considered as withdrawn, and the Clerk will read.

The Clerk read as follows:

Inland waterway from Mermentau River to Sabine River, La. and Tex.: For maintenance, \$8,000.

Mr. WATKINS. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Louisiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 20, between lines 16 and 17, insert:

"Sabine River, La.: From Orange, Tex., to Logansport, La., \$30,000, for construction of a snag boat and its operation for a period of one year in taking out logs; which logs are to be sold, the proceeds to go to pay expenses, in conformity with the recommendations of the Board of Engineers for Rivers and Harbors, as per House Document No. 668, Sixty-third Congress, second session."

Mr. WATKINS. Mr. Chairman, this is a new project, and for that reason—and I conceive that is the only reason—the Rivers and Harbors Committee thought proper not to incorporate it into this bill. The Board of Engineers for Rivers and Harbors made a very long report upon this proposition, recommending it favorably; and I want to state to the members of this committee that the estimates and the evidence on the hearing showed that there are approximately \$500,000 worth of logs which can be taken out of this river and sold, making the river a navigable stream without costing the Government anything at all, except the \$30,000 which it expends for the purpose of constructing this boat, and even that is to be paid back out of the proceeds of the sale of these logs. This is recommended by the Board of Engineers. It is a financial proposition which is a sound one. It will enhance the revenues of the Government to a large extent, and it is perfectly feasible in every respect. I ask for a vote, and hope to obtain the favorable action of the House on this proposition.

The CHAIRMAN. The question is on the amendment of the gentleman from Louisiana [Mr. WATKINS].

The question was taken; and on a division (demanded by Mr. WATKINS) there were—ayes 13, noes 37.

Accordingly the amendment was rejected.

Mr. DUPRÉ. Mr. Chairman, I had intended at this juncture to offer an amendment to insert a new paragraph, but I have decided not to do so, and I should like five minutes in which to explain why I have decided not to offer this amendment.

The CHAIRMAN. The gentleman moves to strike out the last words, and is recognized for five minutes.

Mr. DUPRÉ. Mr. Chairman, the amendment I had in mind was an amendment which was reported to the Senate when the ill-fated river and harbor bill of 1914 was before that body. The amendment received the favorable action of the Commerce Committee of the Senate. It reads as follows:

Between lines 16 and 17 insert the following new paragraph:

"Improving waterway from Mississippi River to Bayou Teche, La., in accordance with the report submitted in House Document No. 610,

Sixty-third Congress, second session, \$100,000, and in constructing said waterway the Secretary of War may use such portion or portions of any private canals as may be suitable for the purpose and can be acquired upon satisfactory terms."

I realize that this is a new project, although a great number of my constituents differ with me on that point. It is true it is a part of the intercoastal canal system on which a favorable report has been made, the system extending from St. Georges Sound to Brownsville; but that system is divided into a number of links and sections. Each section stands on its own bottom. Unfortunately, in spite of the fact that before the Senate committee Col. Beach, the engineer in charge, declared that this section from Morgan City to the Mississippi River was the most important segment of this system, still it was one of the last that was reported upon, and accordingly it stands before the House to-day as a project for which no appropriation has ever been made, and which has no further basis than a favorable report from the Chief Engineer of the United States Army Corps, a report never acted upon or approved by Congress. That, I understand, is the difference between a new and an old project, as determined by the committee and recognized by this House.

I believe then that as it is a new project and as I have been assured by members of the committee that no new project of any kind has been inserted in this bill, although there may be two or three that are skating on mighty thin ice—which I could mention if I cared to be personal—and as I am convinced that these gentlemen are acting in good faith and have sought to exclude all new projects, and as I remember the legislative "hold-up" that the rivers and harbors bill encountered in the Senate last year, and as I do not want to be responsible for defeating this legislation by overloading the bill, I think its passage can best be accomplished by standing behind the measure as the committee reported it, and I will not press the amendment at this time. I shall, however, insert certain resolutions adopted by various organizations in Louisiana and Texas, in which they pay their compliments to Congress and myself for the views that this House and I entertain on the subject.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The following is the matter referred to:

Resolution adopted by the inland waterway committee of the New Orleans Association of Commerce, in session, Monday, December 28, 1914.

Resolved by the inland waterway committee of the New Orleans Association of Commerce, That the exclusion from the pending rivers and harbors bill of the New Orleans-Morgan City and Sabine-Galveston links of the Mississippi-Rio Grande Intercoastal Canal on the ground that these links are new projects is contradictory to the essential requisites to be considered in the construction or improvement of inland waterways, inasmuch as the Mississippi-Rio Grande Intercoastal Canal is one project, approved as such by the United States Engineers and to be worth while and to justify the investment already made, and its consideration under the head of interstate commerce, it must be so completed; be it further

Resolved, That we do hereby instruct our delegate (Mr. S. B. Stewart) to the meeting of the executive committee of the Interstate Inland Waterway League, to be held at Houston, Tex., December 30, to urge upon that meeting that it demand of the delegations in Congress from Louisiana and Texas that they insist upon the inclusion of these two links in the single project of the Mississippi-Rio Grande Intercoastal Canal in the pending rivers and harbors bill; be it further

Resolved, That our delegate be instructed to set forth the judgment of this committee before the executive committee meeting to the effect that the exclusion of these links in this unit project from the Mississippi to the Rio Grande is violative of every fundamental of business administration and tends to be destructive of the cause of inland waterway transportation in the region affected; be it further

Resolved, That copies of these resolutions be sent to the members of the Louisiana congressional delegation and the newspapers of the States of Louisiana and Texas.

NEW ORLEANS ASSOCIATION OF COMMERCE,

B. B. MYLES,

Acting Chairman Inland Waterway Committee.

Attest:

M. B. TREZEVANT, General Manager.

The executive committee of the Interstate Inland Waterway League of Louisiana and Texas, and representatives of the various business interests of both States, at a special meeting held in Houston, Tex., this 30th day of December, resolve as follows:

We take issue with such members of the Rivers and Harbors Committee of Congress as declare that any section of the inland waterway of Texas and Louisiana, popularly known as the intercoastal canal, is a new project, and we call their attention to all reports in connection with this waterway which read "The inland waterway from the Rio Grande to the Mississippi River."

The presentation made by certain Congressmen who include the intercoastal canal with projects on the Atlantic seaboard, some of which exist only on paper and for which no surveys or appropriations have been made, is an injustice to the commercial interests of both States, which long ago secured recognition of the Mississippi-Rio

Grande Canal as an independent project. We call upon the Senators from Texas and Louisiana to demand that the following amendments be made to the rivers and harbors bill:

First. Appropriation for the New Orleans-Morgan City section of the canal on a tide-level plan, with a minimum depth of 9 feet.

Second. Provision for the Sabine-Galveston section of the inland waterway along such approved route as will secure a minimum depth of 9 feet on tide level. In the event that the existing survey is not along lines where such depth can be maintained, we demand that the amendment offered to the Commerce Committee of the Senate authorize such survey as will connect the important ports of Galveston, Houston, Beaumont, Port Arthur, Orange, Sabine, and the tributary rivers in a 9-foot tide-level canal.

This meeting, representing the shippers and producers of the great commodities of the coast, viz, lumber, oil, rice, sulphur, salt, sugar, and various farm products, insists that the tonnage represented is entitled to immediate relief, which can only be afforded by a continuous waterway connecting all ports and tributary rivers of the coast; and it again urges its Representatives in Congress to take a positive stand for the amendments herein.

C. S. E. Holland, Victoria, Tex.; J. S. Cullinan, Houston, Tex.; G. J. Palmer, Houston, Tex.; Adolph Boldt, Houston, Tex.; S. Tallaferrro, Houston, Tex.; R. W. Wier, Houston, Tex.; Theo. Heyck, Houston, Tex.; J. Q. Tabor, Houston, Tex.; D. D. Peden, Houston, Tex.; R. M. Johnston, Houston, Tex.; R. A. Welsh, Houston, Tex.; H. F. MacGregor, Houston, Tex.; E. R. Spotts, Houston, Tex.; George Waverly Briggs, Galveston, Tex.; Hugh Jackson, Beaumont, Tex.; A. E. Masterson, Angleton, Tex.; S. B. Stewart, New Orleans, La.; Leon Locke, Lake Charles, La.; H. B. Moore, Texas City, Tex.

Mr. BRYAN. Mr. Chairman, I move to strike out the last two words. I take a great deal of delight in appearing here for a little matter that I want to present at the same time my friends and colleagues and relatives from Louisiana are on the scene. It is a great delight to me that my great grandmother was a Broussard, and therefore "Cousin BOB BROUSSARD" is the real name of the gentleman from Louisiana as he looks to me.

As I was returning to the last session of Congress I had called to my attention by a gentleman on the train a situation which I believe ought to be considered in connection with this bill. The rate of pig iron from Birmingham to Mobile, if intended for coastwise shipment to the Pacific coast, bears a rate of \$2.75 per ton; if that same pig iron is intended for Cuba it bears a rate of \$1 per ton to the identical port and over the identical railroad. It seems to me that that fact is proof positive that independent of waterways and independent of railways there is a rate discrimination at times that is absolutely inexplicable.

The idea that if we on the Pacific coast want to buy pig iron from Birmingham, in the home State of the able leader of the Democratic Party, for shipment to the Pacific coast we have to pay a rate of \$2.75 per ton to the seaboard to aid the railroads put it over the steamships, whereas if Cuba wants to buy it she gets the same service for \$1.75 per ton less. I think that if the river and harbor bill will cure that situation it will indeed be a valuable and precious document to us, for we need pig iron and iron piping and other such products on the Pacific coast and in Alaska.

But, gentlemen, I do not believe it can cure it. We of the Pacific coast, when we want that product, have gone to China and imported a vast amount of pig iron. We could go to the Birmingham district at the \$1 rate to the seaboard. Ships are anxious to carry it through the Panama Canal. The same conditions prevail in regard to other commodities.

The rate is \$2.75 per thousand pounds on this pipe if you take it for coastwise shipment to the Pacific coast, but \$1.50 if you take it there to reship to Cuba. That is the situation that I wanted to take advantage of this opportunity to call attention of gentlemen, particularly the gentlemen from Gulf Coast States, the gentlemen from Alabama and Louisiana, and others, in the hope that this anomalous situation may be remedied. I ask, in connection with the matter, to insert in the RECORD some figures in connection with the rates, for the benefit of Members, and I do it with the hope of starting something, so that both Alabama and the Pacific coast will derive the benefit, in part at least, of the canal route.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to extend his remarks in the RECORD. Is there objection?

There was no objection.

The following is the matter above referred to:

INTERSTATE COMMERCE COMMISSION,
OFFICE OF THE SECRETARY,
Washington, December 18, 1914.

Hon. J. W. BRYAN,
House of Representatives.

MY DEAR SIR: Replying to your favor of the 9th instant, I am forwarding you herewith a statement prepared by our Division of Tariffs, showing rates, both domestic and export, from Birmingham, Ala., to Mobile, Ala., applying on pig iron, iron piping, lumber, cotton, and

other principal commodities which are shown in tariffs filed with the Interstate Commerce Commission. I have endeavored to have the statement prepared sufficiently in detail to cover fully your inquiry.

Respectfully,

G. B. MCGINTY, *Secretary.*

(Inclosure.)

The following is a statement showing rates, both domestic and export, from Birmingham to Mobile, Ala., applying on pig iron, iron piping, lumber, cotton, and other principal commodities, which are shown in tariffs filed with the commission:

Commodity description.	Rates in cents.	Application.
Pig iron, carload.....	275 per 2,240 pounds.	Rate includes shipside delivery on coastwise movements by barges or sailing vessels from Mobile.
Do.....	100 per 2,240 pounds.	Export rate on traffic destined to foreign points and countries, including insular territories under jurisdiction of United States. Includes shipside delivery.
Cast-iron pipe, carload.....	275 per 2,000 pounds.	Shown as local rate.
Do.....	150 per 2,000 pounds.	Export rate on traffic destined to foreign points and countries including insular territories under jurisdiction of United States. Includes shipside delivery.
Cotton.....	45 per 100 pounds....	Local rate.
Do.....	48 per 100 pounds....	Applies only as inland proportion of export rate on traffic destined to foreign destinations moving on through bills of lading. Includes shipside delivery.
Coal, carload.....	110 per 2,000 pounds.	Applies only when for bunkering purposes other than for export. Includes cost of lowering from cars to barges or into vessels.
Do.....	100 per 2,000 pounds.	Applies when for movements by vessel to Galveston and other Gulf ports. Includes cost of lowering from cars to vessels.
Do.....	do.....	Applies to ship side for export to foreign countries.
Staves, carload.....	13 per 100 pounds....	For export. Includes ship-side delivery.
Tallow, carload.....	22 per 100 pounds....	Do.
Do.....	26 per 100 pounds....	Local sixth-class rate.
Bar and rod iron, carload.....	10 per 100 pounds....	For export. Includes ship-side delivery.
Do.....	12 per 100 pounds....	Local rate.
Blooms, billets, muck bars, ingots, etc.	100 per 2,240 pounds.	For export. Includes ship-side delivery.
Do.....	275 per 2,240 pounds.	Local rate.
Lumber, rough or dressed.	9½ per 100 pounds..	Local or for export.
Lumber, surfaced, carload.....	13 per 100 pounds....	For export only.
Machinery, carload.....	19 per 100 pounds....	For export. Includes ship-side delivery.
Machinery, harvesting, binder twine, farm wagons, and gasoline farm engines, carload.....	23 per 100 pounds....	Local rate.

NOTE.—Alabama intrastate rates fixed by the Alabama State commission are not on file.

Authorities: Washburn's I. C. C., 107; Washburn's I. C. C., 112; Washburn's I. C. C., 121; M. & O., I. C. C., A-1017; L. & N., I. C. C., A-12137; Southern Ry., I. C. C., A-6200.

Mr. BRYAN. I ask the business men of Birmingham and the Gulf cities to take up this data and look into the facts and find out why such a situation should exist. One dollar per ton from Birmingham to Mobile if for reshipment to Cuba, but if for reshipment from Mobile to the Pacific coast \$2.75 per ton from Birmingham to Mobile. What is the difference to the railroad what becomes of the pig iron after it reaches Mobile?

The Clerk read as follows:

Bayous Bartholomew, Macon, D'Arbonne, and Corney, and Boeuf and Tensas Rivers, La.: For maintenance, \$10,000.

Mr. WATKINS. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

Amend, on page 21, between lines 8 and 9, by inserting the following: "The Caddo Levee Board is authorized to close Twelvemile Bayou and make a channel through Cross Bayou to Red River, all in Caddo Parish, La., in conformity with the recommendation of the Chief of Engineers and the approval of the Secretary of War, as per agreement of May 9, 1913."

Mr. SPARKMAN. Mr. Chairman, I reserve a point of order against that.

Mr. WATKINS. Mr. Chairman, I will ask that this agreement signed by the Assistant Secretary of War and a memorial from the board of commissioners from Caddo levee district be read in my time, and if I have any time left I will explain the matter. I will not ask the Clerk to read the contract, because it is a photograph and difficult to read, but let him read the memorial, and I will put the contract in the RECORD also.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent to insert a contract and memorial in the RECORD. Is there objection?

There was no objection.

The contract and memorial follow:

Whereas by section 10 of an act of Congress approved March 3, 1899, entitled "An act making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," it is provided that it shall not be lawful to build or commence the building of any wharf, pier, dolphin, boom, weir, breakwater, bulkhead, jetty, or other structures in any port, roadstead, haven, harbor, canal, navigable river, or other water of the United States, outside established harbor lines, or where no harbor lines have been established, except on plans recommended by the Chief of Engineers and authorized by the Secretary of War; and it shall not be lawful to excavate or fill, or in any manner to alter or modify the course, location, condition, or capacity of any port, roadstead, haven, harbor, canal, lake, harbor of refuge, or inclosure within the limits of any breakwater, or of the channel of any navigable water of the United States, unless the work has been recommended by the Chief of Engineers and authorized by the Secretary of War prior to beginning the same;

And whereas application has been made to the Secretary of War by the board of commissioners of the Caddo levee district, Caddo Parish, La., for authority to close the mouth of Twelvemile Bayou, in the State of Louisiana, with a dike, at the point at which it now enters Red River, and to divert its waters through Cross Lake and Cross Bayou by way of "The Pass" and "Bonners Ditch" into Red River, at Shreveport, La., about 5 miles below the present mouth of Twelvemile Bayou, the plans for which have been recommended by the Chief of Engineers:

Now, therefore, this is to certify that the Secretary of War hereby authorizes the said work of closing the mouth of Twelvemile Bayou, La., with a dike, at the point at which said bayou now enters Red River, and diverting the waters of said bayou through Cross Lake and Cross Bayou by way of "The Pass" and "Bonners Ditch" into the Red River at Shreveport, La., about 5 miles below the present mouth of Twelvemile Bayou, all as shown on the attached map, upon the following conditions:

1. That it is to be understood that this authority does not give any property rights, either in real estate or material, or any exclusive privilege; and that it does not authorize any injury to private property or invasion of private rights or any infringement of State laws or regulations; nor does it obviate the necessity of obtaining State assent to the work authorized, as it merely expresses the public rights of navigation. (See *Cummings v. Chicago*, 188 U. S., 410.)

2. That the work shall be subject to the supervision and approval of the Engineer officer of the United States Army in charge of the locality.

3. That if at any time in the future it shall be made to appear to the Secretary of War that the work causes unreasonable obstruction to the free navigation of said waters the grantee will be required, upon due notice from the Secretary of War, to remove or alter the same so as to render navigation through said waters reasonably free, easy, and unobstructed.

4. That there shall be installed and maintained on the work, by and at the expense of the grantee, such lights and signals as may be prescribed by the Bureau of Lighthouses, Department of Commerce and Labor.

5. That the location of the proposed closing dike shall be approximately as indicated on the attached map.

6. That the channel from Twelvemile Bayou to Red River shall be of such dimensions, and so located, that it will provide at least 4-foot navigation from Red River into Twelvemile Bayou when Red River is at a stage of 5 feet on the Shreveport gauge.

7. That the plans for the construction of the proposed diverting canal shall be submitted to and receive the approval of the Secretary of War prior to commencing operations under this permit.

8. That all bridges crossing this waterway between Twelvemile Bayou and Red River shall be so changed, at the expense of the grantee or other local interests, as to provide suitable passage for all boats using the waterway.

9. That the proposed channel or diverting canal shall be a free public waterway, subject to the Federal laws relating to such waters, and shall be subject to such modification by the United States at any time in the future as the interests of navigation may require.

10. That the mouth of Twelvemile Bayou shall not be closed until the channel between said bayou and Red River has been excavated and fully opened to navigation, and the bridges crossing it changed, to the satisfaction of the Secretary of War.

11. That this permit shall expire by limitation if no advantage is taken thereof before December 31, 1916.

Witness my hand this 9th day of May, 1913.

HENRY BRECKINRIDGE,
Assistant Secretary of War.

MEMORIAL.

To the Congress of the United States:

The memorial of the board of commissioners of the Caddo levee district, a corporation and body politic created by act No. 74 of the acts of the General Assembly of the State of Louisiana for the year 1892, with respect shows:

1. That said levee district comprises the alluvial portion of the territory forming the parish of Caddo; that these alluvial lands aggregate many thousands of acres of very rich and fertile lands, which were subject to overflow from the waters of Red River and its tributaries; that the system adopted by the State of Louisiana to reclaim its lowlands from floods is the levee and drainage system; that there is a general State tax levied for levee purposes, and this is supplemented by levee-district taxation; that the Caddo levee district is a levee-taxing district and its board of commissioners annually levies taxation upon the alluvial lands and upon the products of same for levee repair and construction purposes.

2. That with the means obtained from the State and from levee-district taxation and from the sale and lease of swamp and overflowed lands donated by the State to the levee district, a levee system, protecting the river lands and the lowlands back from the river, has been practically completed with one exception, and that exception is the channel of what is known as Twelvemile Bayou.

3. The line of levees coming down from the Arkansas line, north of the city of Shreveport, has been completed to Twelvemile Bayou, and has been completed from Twelvemile Bayou to Cross Bayou, which latter bayou is the north boundary of the municipal limits of Shreveport, and empties into Red River at Shreveport.

The hills of Caddo Parish touch the Red River and run along the river at Shreveport for about 2 miles, so that Shreveport is located on the hills. From the lower or southern boundary of Shreveport the levee system extends on down the river to the southern boundary line of Caddo Parish.

It thus appears, and is the fact, that the levee system of the Caddo levee district is complete, except the one gap at Twelvemile Bayou.

4. At high-water stages of the river the water backs up the channel of Twelvemile Bayou and overflows and affects the drainage of many thousands of acres of alluvial lands, to protect which from floods was the purpose of the creation of the Caddo levee district.

5. Twelvemile Bayou is the lower link of the chain of bayous and lakes which form the navigable waterway from Jefferson, Tex., to the Red River. The other links in the chain are Soda Lake, the channel between Soda Lake and Caddo (or Ferry) Lake, Caddo Lake, and Buffalo Bayou.

6. Twelvemile Bayou flows into Red River 6 miles north of Shreveport. It formerly made its junction with Red River a short mile above the mouth of Cross Bayou, which latter bayou flows into Red River at Shreveport.

7. If the channel of Twelvemile Bayou, at or above its mouth, is permitted to be closed by dam constructed across it, the levee system of the Caddo levee district would be complete from the Arkansas line to the lower or southern boundary of the parish of Caddo.

8. But we do not ask that this dam be constructed across Twelvemile Bayou until a new navigable channel or waterway be constructed to take the place of that portion of the channel of Twelvemile Bayou which will be rendered unnavigable by the proposed dam, and in this connection your memorialists aver that the Caddo levee board proposes that Congress, in granting authority to close Twelvemile Bayou, make it conditional that this new channel to take its place shall be first constructed under plans and specifications approved by the War Department; that the United States engineer officers in charge of the Red River and of the waterway to Jefferson, Tex., have already signified their approval of the proposed new channel.

9. That the proposed new channel would make out of Twelvemile Bayou at a point where there is already a natural outlet from that bayou, known as "the Pass," connecting the waters of Soda Lake and its outlet, Twelvemile Bayou, with Cross Lake; that this outlet or "pass" is also known locally as the Tim Moorings Slough, extending a distance of several miles from where it leaves Twelvemile Bayou to Cross Lake; that in the bed of lower Cross Lake this pass or slough encounters what is locally known as Bonners Ditch or Slough, which was originally a natural channel draining part of the waters of Soda Lake and Cross Lake into Cross Bayou, which bayou is the sole drainage of the waters of Cross Lake into Red River; that Cross Bayou begins at the foot of Cross Lake and is formed by what is known as Bowmans Chute, Middle Bayou, and Bonners Slough; and that from where Cross Bayou begins, at the foot of Cross Lake, to its entrance into Red River at Shreveport its length is only about 2½ miles.

10. That the proposed new channel will utilize the Tim Moorings "Pass" or Slough, Bonners Slough, and Cross Bayou, thus bringing the waters, which now go down Twelvemile Bayou, into Red River just north of the city of Shreveport, making the mouth of Cross Bayou at Shreveport the outlet of those waters into Red River instead of the mouth of Twelvemile Bayou.

11. That the proposed new channel will shorten the distance which these waters have to travel to reach Red River very materially and greatly improve and facilitate the drainage of the country.

12. That the channels known as Tim Moorings Slough and Bonners Slough will have to be materially widened and deepened to make the proposed new channel equal to Twelvemile Bayou as a link in the navigable waterway to Jefferson, Tex., and this it is proposed to do; that Cross Bayou will require no dredging at all, it already having a deep and wide channel.

13. That the distance between the mouth of Cross Bayou and the present mouth of Twelvemile Bayou is, as already stated, 6 miles, and the State board of engineers of Louisiana estimate that by giving the waters of the lakes above Shreveport an outlet into Red River through Cross Bayou instead of through the present mouth of Twelvemile Bayou will make a difference of between 4 and 5 feet in favor of the better drainage of the lowlands, besides greatly facilitating the Caddo levee board in its work of flood protection.

The premises considered, your memorialists pray for favorable action by Congress on the resolution formally adopted by the board of commissioners of the Caddo levee district at its meeting on December 9, 1914, a copy of which resolution is hereto annexed and made part hereof. The relief wanted, as set forth in said resolution, is the permission of Congress to close Twelvemile Bayou by dam across it at some point below where the proposed new channel will make out of that bayou, but this closing of Twelvemile Bayou not to be accomplished until the new channel way is opened up to the satisfaction of the Secretary of War.

And your memorialists will ever pray, etc.

J. M. ZENTELL,
President Caddo Levee Board.
W. A. KIRBY,
Secretary Caddo Levee Board.

Excerpt from minutes of the meeting of Caddo levee board held December 9, 1914:

J. M. Robinson offered the following resolution, seconded by John Glassell:

"Be it resolved by the board of commissioners of the Caddo levee district, in session this, the 9th day of December, 1914, That Congressman WATKINS and Senators THORNTON and RANDELL be, and are hereby, requested to prepare and have passed by Congress a bill formally authorizing the closing of Twelvemile Bayou and the opening in lieu thereof of a new channel or waterway through what is known as Tim Moorings Chute and its connections and Bonners Channel and Cross Bayou to Red River, just above the city of Shreveport, said new channel proposed to be opened to be of such dimensions as the War Department has approved or will approve, and to form a link in the navigable waterway from the city of Shreveport to the city of Jefferson in Texas.

"Resolved further, That this board attach to this resolution a memorial to Congress urging the passage of the bill above mentioned, and that the president of the board prepare such memorial, and, when

prepared, the same to be attested by the president and secretary of the board and forwarded, with a copy of this resolution, to each Congressman WATKINS and Senators THORNTON and RANDELL."

Carried.

A true copy.

W. A. KIRBY, Secretary.

Mr. SPARKMAN (interrupting the reading). Mr. Chairman, I have not heard the reading of the entire resolution, but so far as it goes it appears it has nothing to do with the question of navigation or the improvement of any navigable water. That I suspected when I made the point of order. If the Chair should sustain the point of order, it would make it unnecessary to finish the reading.

The CHAIRMAN (Mr. FLOOD of Virginia). This is a memorial that is being read. The gentleman reserved the point of order against the amendment.

Mr. SPARKMAN. If the Chair would sustain the point of order, it would make it unnecessary to continue the reading of the resolution.

The CHAIRMAN. The gentleman reserved the point, and the Clerk started to read the memorial in the time of the gentleman from Louisiana who desired it read in his time.

Mr. WATKINS. Mr. Chairman, when the memorial is finished I would like to be heard on the point of order.

The CHAIRMAN. The Clerk will read.

The Clerk continued the reading of the memorial.

Mr. STAFFORD (interrupting the reading). Mr. Chairman, I understand that the gentleman from Florida has made the point of order.

The CHAIRMAN. He has reserved the point of order.

Mr. SPARKMAN. Mr. Chairman, I make the point of order.

The CHAIRMAN. The situation is this: An amendment was offered, and the gentleman from Louisiana [Mr. WATKINS] having the floor, asked that the memorial be read in his time, and he was recognized for that purpose.

Mr. STAFFORD. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. STAFFORD. I make this further question: When any Member, when a point of order has been reserved, makes the point of order that immediately terminates the time which any Member is using under a reservation of the point of order, does it not?

The CHAIRMAN. The Chair did not keep count of the time the memorial has consumed. The Chair rules that the gentleman has five minutes in which to have this read.

Mr. STAFFORD. Do I understand that when the point of order is reserved and a gentleman proceeds to discuss the proposition on the merits that no Member is entitled to make the point of order in those five minutes?

The CHAIRMAN. The gentleman is entitled to his five minutes.

Mr. STAFFORD. And nobody else is entitled to demand the regular order?

The CHAIRMAN. The Chair thinks that nobody can take a Member off the floor until he has consumed his five minutes.

Mr. SPARKMAN. Mr. Chairman, I think the five minutes have long since been consumed.

The CHAIRMAN. The Chair thinks that is true. The time of the gentleman from Louisiana has expired.

Mr. WATKINS. Mr. Chairman, the memorial has been almost completed, and I ask unanimous consent that the memorial be put in the RECORD.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent that the memorial along with that which has been read be incorporated in the RECORD. Is there objection?

There was no objection.

Mr. WATKINS. Mr. Chairman, I would like to be heard now upon the point of order.

The CHAIRMAN. The Chair will hear the gentleman upon the point of order.

Mr. WATKINS. Mr. Chairman, the chairman of the Committee on Rivers and Harbors certainly could not have understood the purport of the resolution and memorial, else he would not have reserved or made the point of order. He did not know what was contained in the memorial. At most he could only have heard the amendment that was offered. The facts are that some four years ago Congress passed in the river and harbor appropriation bill a provision for a permanent dam to be constructed at the foot of Caddo Lake, which is a tributary of the Red River, cutting off the navigation between this branch of the Red River and the main body of the river. The Caddo levee board had been building levees on the river from the Arkansas line near the city of Shreveport, where there is an outlet of this closed stream running into the Red River, and when they got to that point they were allowed by this agreement between the Secretary of War and the Caddo levee

board to close up Twelvemile Bayou, provided they would divert the channel through Cross Bayou, and the amendment calls for the allowance of that proposition, for the ratification of that proposition—to allow them to close Twelvemile Bayou and divert it, making a very much better navigable stream and at the same time reclaiming outright 45,000 acres of land and benefiting 95,000 acres of as fine alluvial soil as there is in the world. It is clearly a project for the benefit of navigation and, at the same time, for the purpose of reclaiming this large quantity of land and preventing the water from overflowing by the continuation of this levee across Twelvemile Bayou.

Mr. SPARKMAN. Mr. Chairman, if the gentleman had presented this proposition to me before I could have looked into it, but it comes up suddenly and no one has had any time to investigate it. I ask unanimous consent that it go over to be taken up again.

Mr. WATKINS. That is agreeable. I did not have time to present it, because I have just obtained it.

The CHAIRMAN. The gentleman from Florida asks unanimous consent that the matter go over temporarily for the present. Is there objection?

Mr. STAFFORD. Mr. Chairman, reserving the right to object, do I understand this is a new project?

Mr. WATKINS. Yes, sir.

Mr. STAFFORD. I understand that the policy of the chairman of the committee on this bill is not to include any new projects. What is the need of passing it over if the committee is not going to give consideration to new projects?

Mr. SPARKMAN. I have not looked into it, and I want to see what it is.

Mr. STAFFORD. The gentleman from Louisiana submits this as a new project.

Mr. SPARKMAN. Does the gentleman from Louisiana say it is a new project?

Mr. WATKINS. Yes; it is a new project.

Mr. SPARKMAN. Then, we had just as well vote on it now if it is a new project.

The CHAIRMAN. Does the gentleman withdraw the point of order?

Mr. MADDEN. This is a reclamation project.

Mr. SPARKMAN. I think it is a reclamation project, pure and simple, and I insist on the point of order; that will settle it.

The CHAIRMAN. The Chair would like to hear the gentleman from Florida on the point of order.

Mr. SPARKMAN. It seems to me a reclamation project, pure and simple. The Committee on Rivers and Harbors has no jurisdiction of reclamation projects, except as they flow incidentally from improvement of rivers and harbors. A few may flow incidentally from that; but this is a new proposition, an independent proposition, bearing mainly, if not exclusively and entirely, upon the subject of reclamation.

The CHAIRMAN. What does the gentleman from Louisiana say about this being a reclamation project?

Mr. WATKINS. Mr. Chairman, I stated it was a reclamation project in that it directly reclaims 45,000 acres and benefits 95,000 acres, and to that extent it is a reclamation project; but at the same time it will benefit navigation. That is what the engineers report, and that is the contract entered into between the Government, through the Secretary of War, and the Board of Levy Commissioners of Caddo Parish.

The CHAIRMAN. The Chair thinks it is properly a reclamation project. At any rate, in the shape the amendment is, it is not in order, and the Chair sustains the point of order.

The Clerk read as follows:

Galveston Channel, Tex.: Continuing improvement by construction of sea-wall extension in accordance with the report submitted in House Document No. 1390, Sixty-second Congress, third session, subject to the conditions therein named, \$200,000: *Provided*, That no part of the amount herein appropriated shall be expended and no contract shall be entered into under this appropriation until the county or city of Galveston and other local interests shall have donated the necessary lands to the United States, and shall have quieted all claims to the present San Jacinto Reservation, nor until the said county or city of Galveston shall have obtained a right of way and made provision in a manner satisfactory to the Secretary of War for paying the cost of constructing at least 3,300 feet of similar sea-wall extension in addition to that herein appropriated for: *Provided further*, That the entire work of construction shall be done under the direction of the Secretary of War, and the funds appropriated by Congress and those furnished by the county or city of Galveston shall be expended by him.

Mr. TREADWAY. Mr. Chairman, I move to strike out the paragraph. Mr. Chairman, I wish to call the attention of the committee to this item on this account. We find that the project for building a sea wall in Galveston comes into the present river and harbor bill as a result of a report submitted to Congress by the Secretary of War on February 11, 1913, which was referred to the Committee on Rivers and Harbors on February

12, 1913. The river and harbor bill of 1913 became a law. Congress, as is well known, expired on March 4; consequently it is a very evident situation that very little attention could have been given at that time to the purport of the report in reference to this improvement. The improvement not only means the expenditure of this \$200,000, which is the first item—and that is why I call it to the attention of the committee—but it is the beginning of a project which will involve, according to the report of the engineers, the country in the expenditure of \$1,185,000 for a sea-wall extension, which I maintain has very little, if any, bearing on the subject of river and harbor improvement for navigation purposes. It can be argued, and will be argued by the distinguished member of the committee who is directly interested in this item, that it is solely to care for the harbor of Galveston. I dislike to disagree with the gentleman, but by reading the report, by reading the document itself, by reading the paragraph, by reading the similar paragraph in the bill of last year, it is just as evident as can be the real foundation for this effort to secure this \$1,185,000 is to construct a sea wall, of which the city of Galveston is building a part, to make a nice promenade, having the Government expend a million and a quarter dollars upon that excellent local improvement for the benefit of the city of Galveston. Now, what is the excuse? The only possible excuse is that in 1900, more than 14 years ago, a great tidal wave struck the city of Galveston, and if another similar event may in the future take place it will flood this particular section where the sea wall ought now to be constructed.

For some reason or other the ordinary form of engineer's report was not sufficient to secure a favorable report on this project, so a special board was formed, which took up this project, and it says "that it believes in time of great storm this neck may be breached, resulting in serious damage to the Galveston Channel." Very good. But we are facing a financial condition now which it does not seem to me makes an emergency issue of the possibility of something again happening that may have happened or did happen 14 years ago.

The CHAIRMAN. The time of the gentleman has expired.

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent for five minutes more.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent for five minutes more. Is there objection?

There was no objection.

Mr. TREADWAY. If the city of San Francisco could, by some form of appropriation, secure immunity against a future earthquake, I have no doubt that it would be very glad to do so, and if the city of Galveston can likewise secure immunity against a tidal wave again hitting the city, it would be delighted to do so; but the building of this sea wall, making a beautiful promenade for the city of Galveston, will not bring that about. The report further says:

The situation, while satisfactory under normal conditions, is far from safe in the event of a repetition of a storm approaching in violence that of 1900.

As I have already said, that was more than 14 years ago. And then, again, in the draft as it passed last year it said all conditions must be similar to the part built by the city of Galveston. That is intended in this bill, and is also referred to in the report of the special commission, as follows:

The front part of the fill next the concrete should be protected by a sidewalk and brick paved roadway, as has been done in the Government's similar extension of the sea wall to and in front of Fort Crockett, and the top of the fill between this roadway and its rear crest should be protected from the blowing away of its material by suitable soil covering and vegetation.

We are going to build, at the expense of \$1,185,000, as already estimated, a very attractive promenade for the citizens of Galveston, and we are going to fix it up nicely with a cement sidewalk and employ a landscape gardener, undoubtedly, and lay it out, and place trees and vegetation thereon. I submit that if that is any part of river and harbor navigation improvement, we can not ever rule out on a point of order any suggestion of any kind of an improvement that our good friends may see fit to bring in under the cloak of river and harbor navigation.

I am very sorry not to be able to agree on this point with the value of that expenditure for river and harbor improvement in the sum of \$1,185,000, which my good colleagues on the committee think ought to be expended. But I want to caution the House that when we vote for this \$200,000, as I know in all probability you will, because that is the way these suggestions are being taken—when you vote for \$200,000 to-day you are starting the Government in a project which already the special committee says will cost \$1,185,000. And in a year or two the engineers will come along again and say that we have got to change the project a little bit and have the sea wall a little more extensive, or say that the sidewalk needs a little more

concrete in it, and the trees need to be a little bigger than they originally estimated, and so will raise the estimate \$200,000 or \$300,000. We are embarking on a very attractive improvement for the city of Galveston. If that is the kind of appropriation we are to have in river and harbor bills, let us adopt them with our eyes wide open.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY].

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Channel from Galveston Harbor to Texas City, Tex.: For maintenance, \$50,000.

Mr. FREAR. Mr. Chairman, I ask to strike out the paragraph last read, being lines 8 and 9.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 22, strike out all of lines 8 and 9.

Mr. FREAR. Mr. Chairman, there are a number of projects that we are approaching apart from the one that concerns Galveston proper, and in view of the fact that criticisms were indulged in a while ago against other States, and it was asserted that Texas had been neglected, I wish to call attention to the fact that already this Government has appropriated for rivers and harbors in Texas approximately \$35,000,000. I have the items here, and can place them in the RECORD if you desire to have me do so.

Speaking more particularly to the item which has been read—of \$50,000; channel from Galveston Harbor to Texas City—let me say that we have appropriated \$2,035,000 on this project and that we had on hand \$1,314,956 last October, in 1914, counting the money received in the sundry civil bill. This is an 8-mile project. And I call your attention to the fact that you are asked to appropriate \$50,000 at this time in addition to \$1,314,000.

In connection with this I desire to read from page 801, in reference to the commerce, which seems to be a legitimate and large commerce, but I desire to present this statement of the engineers, in which they say:

The effect of the project upon freight rates has been beneficial, owing to the establishment of a line of steamers from New York to Texas City, thereby breaking up the rate agreement that had existed between the old line between New York and Galveston. Prior to the establishment of this line in 1908 the rates by steamship lines from New York and seaboard territory to points in Texas were the highest figures that were ever in effect, notwithstanding the fact that the deepening of the Galveston Harbor channel had been continuously going on and that the depth was to 30 feet; but with a competing line in operation to Texas City the rates were reduced on the average of 51 1/2 per cent, and the volume of the business increased over 300 per cent.

I would, Mr. Chairman, that I might stop there, but there is another small paragraph in which the engineer says:

However, during the past three years the rates have advanced again, the average being over 75 per cent over the rates of 1908.

Such is the State from which the gentleman [Mr. HARDY] comes, who a few moments ago said that the railroads must be driven out. You endeavored to do it by putting \$2,000,000 into that harbor, and this is the result, notwithstanding the efforts of one of the best railroad commissions in the United States. In your own State of Texas you have that statement made by the Board of Engineers, indicating how futile it is to reduce freight rates by large expenditures of Government money at that point.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Channel to Port Bolivar, Tex.: For maintenance, \$40,000.

Mr. FREAR. Mr. Chairman, continuing along with several of those items, that seem to be increasing in character—

The CHAIRMAN. Does the gentleman make a motion?

Mr. FREAR. I move to strike out.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 22, by striking out lines 10 and 11.

Mr. FREAR. This is an appropriation of only \$40,000, but the amount available here is \$32,000, and in proportion to the total appropriation of \$306,000 it seems rather large.

The project is for a 30-foot channel for 4 miles—the last was 8 miles—to Port Bolivar, which I understand has a population of 83 people. Of course there is probably a district surrounding that which has to be served. The amount expended to June 30, 1914, is \$269,704. The channel is to be dredged up to the wharf of the Interstate Waterway Co. It was formerly only 9 feet deep up to that wharf.

I desire, Mr. Chairman, to present a statement showing, after an expenditure of \$306,000, the decrease in freight shipments during the past year. In 1912 the total freight at this point was 428,495 tons. This last year the freight has been reduced to 256,105 tons—a loss of 40 per cent.

And so, I say, Mr. Chairman, it would seem advisable in a case like this to make an inquiry before we appropriate \$40,000 more, with \$32,000 on hand, in the case of a project that has had only \$306,000 in all these years, where there has been a loss of 40 per cent, and particularly in view of the fact that we have recently had placed upon the people of this country a war tax amounting to almost \$100,000,000. I believe we should commence here.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Wisconsin.

The question was taken, and the motion was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Port Aransas, Tex.: Continuing improvement and for maintenance, \$400,000.

Mr. FREAR. Mr. Chairman, I approach this with some hesitation, because a good friend of mine has an interest in connection with that. I want to make a motion.

The CHAIRMAN. Does the gentleman make a motion?

Mr. FREAR. Yes. I make a motion to strike out the paragraph.

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Wisconsin.

The Clerk read as follows:

Page 22: Strike out lines 12 and 13.

Mr. FREAR. Mr. Chairman, I recognize that quite a commerce has been served at this point; but if anyone will read the engineers' report he will be impressed with the fact that there has been a waste of money in experiments which call for an investigation to find out who is responsible for it.

We have expended on this project \$3,253,000, and we had on hand last July \$830,000, and we are calling for \$400,000 in this item of the bill. We are getting into very large figures.

Let me suggest what the commerce amounts to. The commerce at this point is 211,330 tons, of which fuel oil is 193,922 tons, indicating the existence of several oil wells at that point.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from Wisconsin yield to the gentleman from Texas?

Mr. FREAR. Yes; but first I desire to read something interesting here.

Mr. CALLAWAY. I wanted to interject a statement in there.

Mr. FREAR. Very well; go on.

Mr. CALLAWAY. Mr. Chairman, in view of the statement of my colleague from Texas [Mr. HARDY] that we should have water competition in order to bring the railroads to time, I want to call the attention of the committee to the fact that this port, since they have got it all dug out at Government expense, complains that the railroads there are keeping them from having any commerce such as they should have, and I got a communication from Aransas a while ago looking to the taking of some action against the railroad companies and the ship companies, charging that the railroads would not haul it down there as they should haul it down there, and they wanted an investigation of that, to make the railroads bring the stuff down there, and then make the ships come and get it.

Mr. FREAR. I wish to read what Army Engineers have done for this project, reading from page 834 of the Engineers' report. To those who have stood for the competency under all circumstances of Army engineers it may be interesting to note the following:

Work was completed in accordance with the above-mentioned specifications June 11, 1906, at a cost to the Government of \$546,703.10, but after the completion of the north jetty the channel became steadily worse, approaching dangerously near the jetty, and finally a secondary channel, 600 feet wide and 6 feet deep, broke through the gap between jetty and shore with the result that for all practical purposes the channel was on the north side of the jetty instead of the south side, as intended by the plan adopted by the Aransas Pass Harbor Co.

In other words, the Government engineers took up the project of the Aransas Pass people, a private corporation, carried it on to a conclusion with a loss to the Government of over \$500,000, and then they have sought to lay the responsibility upon the Aransas Pass Co. for the mistake.

The CHAIRMAN. The question is on the amendment of the gentleman from Wisconsin [Mr. FREAR].

The amendment was rejected.

The Clerk read as follows:

Sabine Pass, Tex.: Continuing improvement and for maintenance of Sabine Pass and Port Arthur Canal, \$500,000.

Mr. FREAR. Mr. Chairman, I move to strike out the two lines.

The CHAIRMAN. The gentleman from Wisconsin offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 22, strike out lines 14 and 15.

Mr. FREAR. Mr. Chairman, I realize that this is another very important project; but in view of the fact that we have appropriated \$5,716,550 for it and that last October we had on hand \$550,270 for further work, it occurs to me that this appropriation of a half million dollars at this time ought to be inquired into.

The total length of the canal from Port Arthur to Sabine River is 16 miles. The project is a 25-foot depth to Port Arthur. Up to this reading of the bill the appropriations that we have just been considering in Texas have reached for the various projects under construction \$11,311,341, and in this bill approach nearly a million dollars. Reading from page 851 of the Engineer's Report—

On June 30, 1914, approximately 75 per cent of the dredging operations in the Port Arthur Ship Canal and turning basin had been completed, and approximately 13 per cent of the work contemplated in connection with the raising and repairing of the jetties.

The maximum draft that could be carried at mean low water in the Port Arthur Ship Canal on June 30, 1914, was 26 feet, with approximately 25.5 feet in the jetty channel.

As I said, Mr. Chairman, in view of the large amounts of money that we are liberally throwing away down on that water front—I do not care whether it is in Texas or Wisconsin—it seems to me we ought to have an inquiry as to the necessity from a public view. Why should we add a half million dollars in this bill, in view of the fact that we had on hand over half a million dollars two or three months ago to be used for the same purpose? Can we not practice economy here?

Mr. DIES. Mr. Chairman, I think this illustrates most beautifully the value of the criticisms which have been made against various items in this bill.

Port Arthur, which my friend talks about, is a self-made port. As almost every Member of this House knows, it was constructed by the citizens down there and donated to the Government. They have spent a million dollars of their own good money for this purpose. Having done that, they introduced a bill in Congress to have Port Arthur made a subport of entry, but Congress would not give them the pitiful privilege of being a subport of entry. That showed how much Congress thought about it. When they started to build this canal by private capital there was just a pittance of commerce that went through Sabine Pass. As late as 1899 there was a commerce of only 300,000 tons, of the value of \$3,000,000. Yet that privately made port, a gift to the Government, is to-day, I believe, the tenth or eleventh greatest port in the United States, and it has an annual commerce of 4,000,000 tons, valued at \$86,000,000.

The citizens in that locality from Port Arthur to Beaumont and Orange have put in private capital to improve that harbor, making it the best harbor in all the world, \$1,900,000. Now, my friend moves to strike it out. Why? He says that some time last year, when the birds were nesting in the spring, they had some amount of money. The engineers have said that the commerce was so great that they could not make facilities fast enough to handle it. The fact is commerce is growing so rapidly that one firm doing business there spent \$300,000 last year of their own private funds to provide facilities for handling the commerce. Adding that to the \$1,900,000, you have over \$2,000,000 that the local community has spent there.

The whole truth is, I know about that the same as some other men know about other things, and Members sit around and take the criticism in all verity, when in good truth I have no doubt much of the criticism is as utterly worthless as it is of this great harbor at Port Arthur. [Applause.]

The CHAIRMAN. The question is on the amendment of the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Houston Ship Channel, Tex.: For maintenance, \$250,000.

Mr. FREAR. Mr. Chairman, I move to strike out lines 16 and 17, on page 22.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 22, by striking out lines 16 and 17.

Mr. FREAR. Mr. Chairman, I realize that I have no chance to reply to the average defense, nor do I care to do so. I am willing to state facts from the engineers' report and leave the House to judge for itself, even though I vote alone.

Mr. Chairman, when we have a million dollars going into this project and \$400,000 into another we are going a long ways toward reducing the Treasury balance.

Mr. DIES. Will the gentleman yield?

Mr. FREAR. Yes.

Mr. DIES. Does the gentleman realize that Texas is as big as the balance of the country?

Mr. FREAR. It is a great State, and let me say that you have done something that has not been done in many other places—you have contributed toward a number of projects and you are entitled to much credit for it. It has not been done in many other places.

Mr. GARNER. Does the gentleman know that in the item he is criticizing the citizens contributed an equal amount to the Government contribution for the construction of the harbor?

Mr. FREAR. I believe they did.

Mr. GARNER. Now the gentleman wants to strike this appropriation out.

Mr. FREAR. But you have a lot of money down there now and do not need it, and as you have left the Treasury in bad condition, I am trying to help you economize. The engineer's report, page 806, says that the total amount expended on all projects at the end of the fiscal year, June 30, 1914, is \$5,375,590. He says we have \$415,449 on hand now, and we are asked to appropriate \$250,000 more.

The engineers give the commerce at 1,860,452 tons. Ordinarily I do not go into items to see what they are composed of, but here it says that 520,000 tons are sand and 750,000 tons are shells and 200,000 tons are floatable timber.

Mr. DIES. The gentleman is not talking about Port Arthur?

Mr. FREAR. Oh, no; I was beaten on that project; we are up at Houston now. I want to call the attention of the gentleman from Texas [Mr. HARDY], who thinks railroads are interested in this proposition. The report says:

The effect of this project on freight rates is unknown and is indeterminate, because of the railroad rate differential in favor of Houston, authorized by the Railroad Commission of the State of Texas.

The Texas commission is amply able to protect the people of that State from the railways, and all the waterways put together are of little service in that direction.

The CHAIRMAN. The time of the gentleman has expired.

Mr. EAGLE. Mr. Chairman, I greatly hoped that the distinguished gentleman from Wisconsin [Mr. FREAR] would have exhausted himself in his futile and senseless fight against this bill before we had reached the item of \$250,000 for the maintenance of the Houston Ship Channel. I am not given to much or frequent speaking in this House, but I beg leave to say that any man who will read the record, as the distinguished gentleman from Wisconsin gives evidence of having done, at least casually, and then make a motion to strike out this item for the maintenance of this great project, shows, first, a total ignorance of the necessities of commerce, and, second, a total inability to appreciate a real port, and, third, a total lack of consideration for the commerce of the whole Southwest. The tone of the gentleman is most exalted; he seems to think that every item in this bill is what he is pleased to term "pork," unless it be those items that go to Wisconsin. His own streams and ports having been long since developed by the Federal Government, he goes into a state of frenzy when the Congress comes to develop other sections.

Almost every item of this great bill, carrying some \$34,000,000, he ridicules, denounces, and slanders, and sets up his opinion against the Government engineers, the committee, 50 years of action by thousands of honorable Representatives and Senators, and the practically unanimous wish and judgment of this House. Truly, he must enjoy the isolation of his self-exaltation!

He even attacks the Houston Ship Channel, by moving to strike out an item of \$250,000 for its maintenance. A mere glance at some of the facts will demonstrate the absurdity of his position.

In the year 1871 money was first appropriated for the beginning of a project resulting in the Houston Ship Channel. These appropriations were continued in 1877, in 1881, in 1892, and in 1899, all upon the reports of the engineers, and finally the present project was adopted on June 25, 1910. I should like in passing to say that the city of Houston proposed to Congress that for the completion of the project it would raise \$1,250,000, contingent upon the Congress appropriating a like sum; and accordingly, on June 25, 1910, the sum of \$1,250,000 was appropriated by Congress, and with that \$2,500,000 thus raised the Houston Ship Channel was recently completed.

Mr. Chairman, I wish gentlemen would consider the following facts and figures and then by their votes on this item answer

the motion of the gentleman from Wisconsin to cripple the Houston Ship Channel upon which the great sum of \$5,375,590.94 has been spent. In the years mentioned below the number of short tons of freight, valued at the great amounts set opposite, passed through the Houston Ship Channel to and from the Gulf of Mexico, to wit:

Year.	Short tons.	Value.
1905.....	104,907	\$12,544,323
1906.....	132,108	15,000,000
1907.....	452,463	24,466,730
1908.....	602,734	28,318,621
1909.....	1,214,904	36,097,580
1910.....	1,371,650	39,155,357
1911.....	1,354,897	34,721,530
1912.....	1,265,050	35,938,800
1913.....	1,860,452	38,738,464

¹ Estimated.

Does that not satisfy the requirement that there be real traffic and increasing traffic to justify Federal appropriations? And now the people of that splendid city are preparing a commodious turning basin and terminal facilities in full accordance with the spirit and purpose of that noble enterprise.

In order to maintain the Houston Ship Channel, which is 50 miles in length from the Gulf of Mexico to the turning basin, \$400,000 are required for suitable dredges, and the city of Houston has voluntarily raised \$200,000 and tendered that sum to the Government, which has been met by a like sum from the Government; and now the gentleman from Wisconsin would have such total investment and commerce sacrificed rather than vote \$250,000 for the maintenance of a channel bearing some \$400,000 of commerce.

I can not think for one moment that the Congress will be niggardly, as the gentleman from Wisconsin would have it be, with the Houston Ship Channel, an enterprise whose conception was noble, whose development was inevitable, and whose possibilities are as limitless as the mighty future which spreads out before that people, that city, that State, and that great southwestern portion of our common country.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Wisconsin.

The question was taken, and the amendment was rejected.

The Clerk read as follows:

Anahuac Channel, Trinity River, Oyster Creek, and Cedar, Chocolate, Turtle, Bastrop, Dickinson, Double, and East Bay Bayous: For maintenance, \$25,000.

Mr. FREAR. Mr. Chairman, I move to strike out the last word. I certainly wish to extend my compliments to the gentleman from Texas [Mr. EAGLE] for the address with which he has favored us. As I stated yesterday, there are quite a number of Members in the House who are really indebted to me for giving them an opportunity to tell about the local surroundings in which they live. We are all pleased to hear them and to get their unprejudiced views. I have no desire to puncture what has been said by the gentleman from Texas in the slightest degree, but I just want to leave one thought: Of the 1,860,452 tons of freight of which he boasts, 1,470,000—or over 80 per cent of the whole—was sand, shells, and a little lumber, as I have before stated.

Mr. DIES. Mr. Chairman, will the gentleman yield?

Mr. FREAR. Yes.

Mr. DIES. As I understand, this project is just about to be completed; and does not the gentleman think it is a little unfair to talk about its tonnage within a few weeks after its completion and before the people have had a chance to use it?

Mr. FREAR. The gentleman misses the point entirely. I said that with \$400,000 on hand at this time we ought to endeavor to economize in some small degree. Mr. Chairman, I wish to read now the following newspaper dispatch, which comes from Houston, Tex.:

INLAND WATER ROUTE TO TEXAS FROM MISSISSIPPI DEMANDED IN RESOLUTION.

HOUSTON, TEX., December 31.

Prospects of a continuous inland water route from all points on the Mississippi, Ohio, and Missouri Rivers to southeastern Texas and consequently continuous inland waterway connecting between Houston to the Great Lakes entered into the discussion of the special executive meeting of the Interstate Inland Waterways' League of Texas and Louisiana here to-day.

The meeting went on record as favoring a canal of 9-foot depth and 90 feet minimum bottom width connecting Galveston Bay and Sabine Pass, and a similar canal connecting Morgan City with New Orleans.

The resolution calls upon the Senators from Louisiana and Texas to demand that an amendment be made to the rivers and harbors bill so as to provide for the proposed canal extension.

The gentleman from Illinois [Mr. MANN] read not long ago a communication from his own State which demands of Illi-

nois Members and Senators that they place back in this bill projects which were stricken out last year. These statements come from waterway associations—waterway lobbies. Are we not entitled to know, on the part of the House, who is demanding such action and why they are demanding it? This communication I have read comes from Houston, Tex., just handed to me, and I offer it as a fair sample of waterway demands. Mr. Chairman, I withdraw the pro forma amendment.

The Clerk read as follows:

Improving inland waterway on coast of Texas: For maintenance of the West Galveston Bay-Brazos River section, \$15,000; for maintenance of the Brazos River-Matagorda Bay section, \$30,000; for maintenance of the Aransas Pass-Pass Cavallo section, \$45,000; for continuing improvement and for maintenance of Guadalupe River up to Victoria, \$15,000; in all, \$105,000: *Provided*, That any portion of the amount hereby appropriated for a given section of said waterway may, upon the recommendation of the Chief of Engineers, be transferred by the Secretary of War and made available for maintenance of improvement in any other section.

Mr. FREAR. Mr. Chairman, I move to strike out the last word, in order to refer to several projects without asking to strike them out.

Mr. HENRY. I will ask the gentleman if he will not wait until after we read down to line 17 and pass that and then make his statement. That will give me an opportunity to fill my engagement.

Mr. FREAR. Certainly, if the chairman will permit a return to this. I will take no time of the committee except to state the facts showing the particular traffic upon these streams.

The CHAIRMAN. The gentleman withdraws his pro forma amendment and the Clerk will read.

The Clerk read as follows:

Brazos River, Tex.: Continuing improvement from Old Washington to Waco by the construction of locks and dams heretofore authorized, and commencing the construction of two additional locks and dams, \$200,000; continuing improvement and for maintenance by open-channel work from Velasco to Old Washington, \$10,000; in all, \$210,000.

Mr. TREADWAY. Mr. Chairman, I move to strike out the paragraph in order that the matter may be formally before us.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, strike out the paragraph beginning with line 9 and ending with line 14.

Mr. TREADWAY. Mr. Chairman, if the gentleman from Texas expresses a wish to speak, I am willing to yield the floor.

Mr. HENRY. Even if I have the five minutes in which to speak, I fear I will miss my train. I would prefer to have a vote without speaking.

Mr. TREADWAY. I will yield for the gentleman's five minutes first.

Mr. HENRY. I would rather not speak at all, but just vote on it.

Mr. TREADWAY. Mr. Chairman, with all due courtesy to the gentleman from Texas, I do not feel we ought to vote on this proposition without a word of explanation. I realize what the vote will be when we reach it, but at the same time I wish to extend the gentleman from Texas every courtesy, because I understand he has an important engagement to keep.

Mr. HENRY. I shall not insist. The gentleman can proceed with his speech.

Mr. TREADWAY. Now, Mr. Chairman, the item of the Brazos River is sufficiently well known, and it is not going to take a great deal of the time of the committee to show just a little what we are paying here for it. It is shown by the report of the Board of Engineers that there has been already expended on the improvement of the Brazos, appropriated to December 1, 1914, \$2,316,250; that the amount needed to complete is indefinite; that no commerce has as yet developed. I think that of itself—

Mr. COOPER. No commerce?

Mr. TREADWAY. No commerce has yet developed on the Brazos River. That puts the proposition in a very concrete form as to whether or not we wish to continue spending good money and chase it after bad, letting the good money become just as bad in the end as that already spent is now.

Mr. HUMPHREYS of Mississippi. Will the gentleman yield for just one question?

Mr. TREADWAY. Certainly.

Mr. HUMPHREYS of Mississippi. Will the gentleman state how much commerce passed through the Panama Canal before it was finished?

Mr. TREADWAY. Oh, well, we expect to get commerce through there, and we will never get any on the Brazos River. I yield to the gentleman from Mississippi any comparison with the Panama Canal when he uses it to illustrate a stream that eventually is going to have some commerce on it; but if I can read figures right, if I can read these statements, if I can read

the engineer's reports, the commerce that is going to be developed on the Brazos River is of a minimum amount, and the result would be just about as it is now after we have spent two and a quarter million dollars—"No commerce has as yet developed." When an indefinite sum is expended, which the engineers say will be needed to complete it as planned, then I prophesy the report can still come back here and be given in with all truth, "No commerce has as yet developed." And why? I hold in my hand the report of the engineer, which is made with all due consideration of the interest of the Brazos River and the people promoting it, and I quote:

It is obviously difficult to determine with absolute accuracy the number of months in which the minimum depth for water in navigation will prevail, primarily because the rainfall varies greatly from year to year, and secondarily, on account of the great expense of obtaining all the exact data for each reach of the river.

Then they have on the next page of the report a table showing the depth of water and its stages over a certain average number of days during the years 1903, 1904, and 1905, and we find that for 252 days of that period—the average number of days per year during that period—the average depth was 3 feet; for 184 days, 3½ feet; for 136 days, 4 feet; and for 88 days they actually got 5 feet of water.

Then, again, I see this item:

Experience with the shoals below Old Washington indicates that by dredging and contraction work a gain in depth over shoals of 2.6 feet can be readily made. The work is being done with that idea, and frequently depths of 3 feet and more result.

Is not that fine? Frequently there will be 3 feet of water!

It therefore seems that the proper answer to the proposition proposed by the act of Congress, upon which the appropriation of the \$75,000 depends—

Do we not begin these big projects mighty modestly? The original project was \$75,000—

namely, the least number of locks and dams that will furnish navigation for four or six months, is eight, and that these eight will furnish a little over fourth months' average navigation.

And still my good friend and colleague on the committee wants to compare navigation on the Brazos River with the greatest engineering proposition ever undertaken by the United States, namely, the construction of the Panama Canal.

Mr. HUMPHREYS of Mississippi. The fact is that there is just as much commerce on the Brazos River now as there was on the Panama Canal before it was completed.

Mr. TREADWAY. Did you vote for the completion of the Panama Canal in the expectation of securing the amount of water that the engineer's reports say the Brazos River will eventually get when the amount of money is spent which this report calls for?

Mr. HUMPHREYS of Mississippi. Oh, no—

Mr. TREADWAY. Then please do not draw a comparison between the two propositions.

Mr. HUMPHREYS of Mississippi. I understand the gentleman naturally objects to the comparison.

Mr. TREADWAY. I do not think it is in point, if I may be allowed to criticize the gentleman from Mississippi. I do not think his comparison carries with it any point whatsoever. The whole subject is right down in the engineers' report. I have quoted it once. It is in the Record with my remarks, on page 1633. I do not want to take the time of the committee or the time of the gentleman from Texas [Mr. HENRY] by reading it again, but it is perhaps just possible that we ought to call attention to a line or two here.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. HENRY. The gentleman suggested that he did not intend to move to strike out this item. I have just one minute in which to meet that engagement.

Mr. MANN. Is it not worth more than that to the gentleman?

Mr. HENRY. If the gentleman puts it that way, I am willing to stay and talk about this matter to the committee. However, I am willing to vote now. I ask for a vote, Mr. Chairman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. TREADWAY].

The question was taken, and the Chair announced that the yeas seemed to have it.

Mr. TREADWAY. Mr. Chairman, I call for a division on this important question.

The committee divided, and there were—ayes 8, yeas 42.

So the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

That the channels which the Beaumont navigation district, or other local interests, and the Orange navigation district, or other local interests, are required by the aforesaid act to maintain for a term of three years, free of cost to the United States, are hereby defined as, respectively, the channel from the mouth of the Neches River up to Beaumont, Tex., and the channel from the mouth of the Neches River up to

Orange, Tex.: *Provided*, That nothing herein shall be construed as relieving said Beaumont navigation district of its obligation to provide for the operation and maintenance of the guard lock without cost to the United States as required by said river and harbor act of February 27, 1911.

Mr. MANN. Mr. Chairman, I reserve a point of order on the paragraph. Will the gentleman give an explanation of what this is intended to do? Is this to relieve the Beaumont Navigation Co. or compel them to do something they are not now required to do?

Mr. DIES. I will try in a very brief moment to give the gentleman an explanation unless he cares to use some time.

Mr. MANN. No; I want information.

Mr. DIES. I will say to the gentleman from Illinois [Mr. MANN] that this project, in which the citizens of Beaumont and Orange participated to the extent of contributing half of the money, was recommended by a special board of engineers who visited the locality and held a hearing. The citizens submitted four plans to the Government, and the Government accepted plan No. 4. Now, having said that, let me say this other thing: This was for an improvement in the Neches River and the Sabine River, from the mouths of those rivers to the towns of Beaumont and Orange. It also provided for the deepening of the Sabine-Neches Canal, a waterway of about 10 miles, already existing, but it was only 10 feet in depth.

Mr. MANN. Possibly I could shorten what I want to get at by asking a question.

Mr. DIES. Very well.

Mr. MANN. Under the law the Beaumont Navigation Co. is required to maintain certain channels for a term of three years?

Mr. DIES. I am about to come to that.

Mr. MANN. Does this relieve the company from the maintenance of any of the channels it is now required to maintain?

Mr. DIES. It relieves them from the maintenance of no channel that they ever agreed to maintain. In this proposition, made by the Government, this language was used:

We further offer to pay the cost of the maintenance of the proposed improvement in the Neches River, including turning basin at Beaumont, for a period of three years after the completion of said improvement.

Now, then, that was embodied in Document No. 1290. The law that was enacted was as follows:

Improving the Sabine-Neches Canal, Tex., from the Port Arthur Ship Canal to the mouth of the Sabine River, the Neches River up to the town of Beaumont, and the Sabine River up to the town of Orange, to a navigable depth of 25 feet, in accordance with plan No. 4, submitted in House Document No. 1290, Sixty-first Congress, third session.

Now, it is true, I will say to the gentleman from Illinois, that, notwithstanding the commissioner has not agreed to maintain anything except the river, the construction placed upon the law by the Board of Engineers was that they should not only maintain the river which was proposed to be improved, but should take over the maintenance of the already existing Government stream, to wit, the Sabine-Neches Canal. As soon as it came to my knowledge I went to the Board of Engineers and to the chairman of the Committee on Rivers and Harbors and laid the matter before them, because they had never agreed to maintain the channel except in the rivers; but that was the understanding, and it was so nominated in the bond—that is, in the offer and in the acceptance. And this is no more, I will say to the gentleman from Illinois, than a correction of that mistake, which arose in that way.

Mr. MANN. It is not intended to relieve the company of any obligations which in the gentleman's opinion they ought to maintain?

Mr. DIES. No. They are still to maintain the channel in the Sabine River and in the Neches River. They are not to take over the maintenance of the Sabine-Neches Canal, which was built before and was always maintained by the Government. It was in there by mistake, pure and simple.

Mr. MANN. I do not desire to see imposed upon the company anything which we ought not to do; but I desire very much to prevent a company, after making an offer to do a thing and getting the Government into it, from trying to get relieved from the undertaking.

Mr. DIES. In the Senate, I will say to the gentleman, this took place—

Mr. MANN. Never mind; I do not care what took place in the Senate.

Mr. DIES. All right. As it passed the House before we would not have relieved them from maintaining the law.

Mr. MANN. Mr. Chairman, I withdraw the point of order, so far as I am concerned.

The CHAIRMAN. The gentleman from Illinois [Mr. MANN] withdraws the point of order. The Clerk will read.

The Clerk read as follows:

Trinity River, Tex.: Continuing improvement and for maintenance by open-channel work, \$15,000.

Mr. CALLAWAY. Mr. Chairman, I made some remarks on the Trinity River, and have been much jumped on on account of it, and I also made some remarks on the Brazos.

The CHAIRMAN. Does the gentleman make a motion?

Mr. CALLAWAY. Yes; I move to strike out the last word.

The CHAIRMAN. The gentleman from Texas [Mr. CALLAWAY] moves to strike out the last word.

Mr. CALLAWAY. Mr. Chairman, I would not want to strike out that \$15,000 they give the Trinity River, after they have expended \$2,225,000 on it trying to make it navigable, although it is wholly impossible. But I do insist that the House ought to have treated the Brazos and the Trinity alike. They both run through my district, and I do not believe in being partial.

They have put in this bill for the Brazos River \$210,000 and have given the Trinity only \$15,000—rivers running through the same character of territory, of about the same length, that have heretofore had about the same money expended on them. The engineers report that it will take, so far as they can determine, about the same amount to complete them, with about the same hope of navigation on each of them.

Mr. Chairman, I think this is a narrow, shallow, crooked, and dry way to treat the Trinity. We ought not to do it.

Mr. TREADWAY. Will the gentleman yield for a question?

Mr. CALLAWAY. Yes.

Mr. TREADWAY. The gentleman speaks of "the same hope of navigation." He is familiar with the country down there. These rivers flow through his district. Will he be kind enough to tell us what that same hope is?

Mr. CALLAWAY. I have had some experience with that hope. Some fellows down there jumped on me because of the rivers and harbors bill when I was running for Congress, and were going to beat me because I would not bring money to the district; and the man who specially made the same claim for the navigation of all Texas rivers that the gentleman from the head of navigation on the Brazos [Mr. HENRY] made on the floor of the House got about 4,000 votes in a poll of over 35,000 in the district. [Laughter.] I stood on the banks of the Trinity River and made fun of the ridiculous idea of pouring money into that stream with the hope of ever making it navigable. As I came up here the other day there was a man who lives on the banks of the Brazos got on the train at Granbury, on the banks of the Brazos, and looking down at it he said, "Wouldn't you like to see Bob Henry trying to come up that sand flat on a boat." [Laughter.]

Now, I have not made a motion to strike this item out. Members of this House jump up and get red in the face and defend propositions in their own districts, and then when they come to vote every fellow who has got a dime in the bill sticks to the committee. The Trinity and Brazos Rivers are just as good and better projects than hundreds in this bill. That is the reason I call attention to these rivers. I know what I am talking about when it comes to the Trinity and the Brazos. I have been there and waded across them; I never had to swim. I have driven cattle and horses back and forth across them; yes, and could spit across them in places. Sometimes they get up so you can not spit across them. Right at this time you can not spit across them, I guess. It has been raining a lot lately. [Laughter.] Here is an editorial comment from a paper printed on the banks of the Trinity, 30 miles above navigation:

CONGRATULATIONS, DALLAS!

The navigation of the Trinity River is an assured fact we learn from the Dallas newspapers. Soon the chug chug of the panting engines as they propel the "big steamer" down the muddy waters of the Trinity will resound throughout the State, and farmers, awe-stricken, will gaze upon the strange and unusual sight as did the farmers along the banks of the Hudson when *Fulton's Polly* wended its way in the shadows of the Palisades years and years ago.

Enter *Douglas the Third*, the palatial craft that will cleave its 3 feet of draft from Dallas toward the blue waters of the Gulf. Enter the days of the old Mississippi River steamboat—light draft, high speed, the deep blue sky limit, the bar then ran from stem to stern, the gay old cavaliers who planted corn and consumed it in its liquid form.

We are glad to know that the *Douglas the Third* is to be a "big steamer." Measurements are 78 feet in length—not quite the distance between the home plate and first base—

[Laughter.]

She is 20 feet wide, just the combined length of 7 baseball bats, and she draws from 2½ to 3 feet of water. If the floods hold up, she may be able to make her maiden trip before waiting for the winter freshets. In time of war the *Douglas the Third* might be leased to Carranza and Villa as a gunboat to dock at the El Paso navy yard and patrol the Rio Grande.

We are not jealous. We are happy and gay in the thought that the good old days of the Mississippi, immortalized by Mark Twain, are about to return, and we, too, may have some of the joys which were the part of our fathers. Hasten the day.

I said that everybody in Texas not directly interested in the propositions knows that the Trinity and Brazos Rivers are not navigable. The gentleman from the Brazos has gone. The gentleman from the Trinity is here. Last year both the gentleman

from the Brazos and the Trinity disputed that and jumped on me with both feet. I have some letters from prominent citizens giving their views on the Trinity's navigability.

The CHAIRMAN. The gentleman's time has expired.

Mr. CALLAWAY. I ask five minutes more.

Mr. HUMPHREY of Washington. Reserving the right to object for a moment, are those letters about the Trinity?

Mr. CALLAWAY. Yes.

Mr. HUMPHREY of Washington. I will not object, but the Trinity River is not in the bill.

Mr. CALLAWAY. Oh, yes, it is. Here is an appropriation of \$15,000—a little measly appropriation compared with that for the Brazos.

I will prove by the proponent of this Trinity River project that these are good, substantial, leading, and public-spirited citizens.

CITIZENS' NATIONAL BANK,
Wazahachie, Tex., January 30, 1913.

HON. OSCAR CALLAWAY,
Washington, D. C.

DEAR SIR: I wish to commend you for your course on the rivers and harbors appropriation bill. That you are right in your position there can be no question. Money appropriated to make navigable dry creeks hundreds of miles away from tidewater is money wasted. How so-called engineers can make favorable reports on such schemes is past comprehension. But they do it. Many seem to think the Government a big institution, with money without limit, and that every dollar they can get from the Government, by any means, is fair, and that the people are gainers to that extent, when in truth all governments, as purely governments, are paupers. Every dollar the Government has must come from the people. If all these foolish appropriations were placed where good results would follow, it would be commended. Why Congressmen will vote for such wild, foolish appropriations is passing strange. It can only be assigned to ignorance or insincerity. The people are getting tired of such foolishness. I have heard many commend you for your stand.

Yours, truly,

O. E. DUNLAP.

Here is a letter from a man who has some interest in this appropriation. Listen to what he says:

THE CITIZENS' NATIONAL BANK,
Wazahachie, Tex., April 1, 1914.

HON. OSCAR CALLAWAY,
Washington, D. C.

DEAR SIR: From press reports I note that you have been opposed to further appropriations for the furtherance of the proposed navigation of the Trinity River. I do not think this a practical project at all, and I wish to congratulate you on the fair, unprejudiced stand you have taken, especially so in the face of all the opposition and criticism this stand has brought upon you. Personally the cleaning and clearing of the underbrush along the river would be of much personal benefit to me, as I have considerable land adjoining same, but I do not think it right that the funds of the Federal Government should be used in bringing this about, although, as stated, should the Trinity be made a navigable stream, it would be of considerable benefit to me and a project which would meet with my hearty support could I conscientiously believe it practicable, which I do not.

With best wishes to yourself, I am,

Yours, very truly,

R. W. GETZENDANER.

Now, if that is the sentiment of the people along its banks—and I take it that it is the sentiment of the people all along these little intermittent creeks and inconsequential harbors everywhere—why continue to waste the public money? When I made the fight a big, red-headed, freckle-faced man from Comanche, who had moved over to Dallas, told me that when the fight was going on and the two gentlemen from Texas were jumping on me, and papers down home printing what they were saying, the citizens of Dallas were saying on the streets of Dallas that CALLAWAY is right about it; it is a farce, but we want the money spent down here. He said that I might quote him. He was at that time and is now a citizen of Dallas.

The chamber of commerce at Fort Worth sent me a wire, and the gentleman from the Trinity read it last year, asking me to support the appropriation. That came from the chamber of commerce. It was not the views of the body of the people. I went home and I stood on the banks of the Trinity River, at Fort Worth, the place that wire came from, and spoke against such waste and carried that county over the man who was opposed to me, who lived there, by 1,500 votes. Why? The people there know that it is foolish. Mattewan Creek, Kissimme, the Little Pedee, and all these little, inconsequential and intermittent creeks are projects upon which it is foolish to spend money. There is no use in arguing that the railroad is behind this opposition. That is begging the question. Every common-sense man can see the foolishness in trying to beat down the freight on the railroads by appropriations while the Interstate Commerce Commission are raising the rates by rulings that the railroads may live.

Mr. TREADWAY. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD on the Brazos River.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to extend his remarks. Is there objection?

There was no objection.

The pro forma amendment was withdrawn.

Mr. BEALL of Texas. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for 10 minutes. Is there objection? There was no objection.

Mr. BEALL of Texas. Mr. Chairman, when the gentleman from Wisconsin began to cast aspersions on Texas projects I felt some irritation. When the gentleman from Massachusetts [Mr. TREADWAY] began to attack the river on which my friend HENRY lives and called it the Bräyzös, I began to be indignant; but when my own colleague [Mr. CALLAWAY] launched forth in an attack upon the Trinity, which is really the best project in the river and harbor bill, my indignation swells to the point where it can be no longer suppressed.

He attempts to claim some sort of knowledge with respect to the Trinity and Brazos, because, he says, they run through his district. That is not to their credit at all, and, like well-disposed rivers, they leave his district just as soon as they can. [Laughter.]

Mr. CALLAWAY. Will the gentleman yield? They do not run out of there at all.

Mr. BEALL of Texas. Oh, yes; they do run. They do not even hesitate about it. Now, my friend from Texas says that Fort Worth is upon the Trinity River. This river, as its name indicates, has three forks, two of which are very wet and one of which is dry. The dry fork happens to be the fork upon which Fort Worth is situated; and this may account for some of the things said and some of the things written by citizens of Fort Worth in opposition to the canalization of the Trinity River. Fort Worth is now a good town. At one time it was an ambitious town; it even essayed to be the rival of the great city of Dallas. That was in the past. It has been overshadowed and has now become an interesting suburb of Dallas, to which the people of that city like to go to find peaceful quietude and rest.

I was over there a few months ago myself. I found that it still attempts to imitate the ways of sure enough cities. In the middle of one of the principal streets I saw a policeman standing. It seemed to me that he must have been 7 feet in height. I had a few minutes to wait for a car after having finished pitching horseshoes and wanted to find some other kind of diversion, and so I ambled up to this policeman and said: "What are you doing?" He said, "I am a traffic policeman in Fort Worth." I looked up and down both streets, but saw few vehicles. I said, "How do you like your job?" He said, "Oh, fine, except that I get so darned lonesome." [Laughter.] Mr. Chairman, my friend reads letters from two very estimable gentlemen from my own home town of Waxahachie who do not have faith in the Trinity River project. There are people there who have not—in the language of Billie Sunday—"hit the trail" and have not been converted to see its merits. There are benighted people there just as there are some benighted people in the House of Representatives who will not agree that the Trinity River project is one of superlative merit. There were people in my friend CALLAWAY's district who were so unappreciative of him that several thousand of them voted against him, and probably more than two in his home town would volunteer the written opinion that it would be far easier to "improve" the Trinity River than to "improve" him. I really admire my colleague very much, and my regret is that he knows so little about what it takes to make a first-class river.

I was unavoidably kept away from here before the holidays. If I had been here, I believe that Mr. SUMNERS and I, together, could have touched the hearts of the genial, kindly chairman and of the other members of the committee and could have persuaded them to give a more generous recognition of the Trinity than is contained in this bill. I have no criticism to make of them. I suppose they did the very best they could. I am sure that they patiently and laboriously considered all of these many projects, and that conditions beyond their control compelled them to select some for present appropriation and to require others to await the next bill. I say this much in compliment of them. I think that if they had given the Trinity more than they did I could have said a good deal more in praise and compliment of them. [Laughter and applause.] They should not expect \$100,000 worth of praise in exchange for only \$15,000 of appropriation.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. BEALL of Texas. Yes.

Mr. CALLAWAY. Does not the gentleman think that the Trinity is as good a proposition as the Brazos?

Mr. BEALL of Texas. Of course the gentleman thinks that. The gentleman thinks that the Trinity River is the best of the two.

Mr. CALLAWAY. Did not the gentleman from the Brazos say in his speech last year that the Trinity was just as good as the Brazos?

Mr. BEALL of Texas. I think that is universally conceded. I have never heard anyone contend that the Trinity was not the equal of the Brazos. This project has been before Congress for a good many years. It is true it gets only \$15,000 in this bill, but I do not accept that as any evidence of the fact that there is any purpose on the part of the Government to abandon the project. I know the circumstances under which this bill was made, and I am confident in my expectation that when future river and harbor bills are made up the Trinity River will be recognized in accordance with its real merits.

Mr. Chairman, this is a sort of "swan song" of mine, so far as the Trinity River is concerned. I have struggled here as best I could for the last 10 or 12 years, trying to do something for this project, because I thought it was of vital importance to my section and to my State. I believe it is now, because the situation down there is a situation that demands some character of relief. During these 10 or 12 years Congress has dealt as generously with the Trinity River as conditions would permit. Something more than \$2,000,000 have been appropriated. I think that every dollar of this sum has been secured in the House of Representatives. Sometimes the progress of improvement has seemed discouragingly slow. Seven locks and dams are in process of construction, and two more have been authorized to the extent of locating and securing their sites.

My colleague [Mr. CALLAWAY] says that some friend of his has advised him that the people of Dallas ridicule the proposition, that they have no faith in it, that they only want the appropriation. Let us look at the facts for just a minute. For the last 20 years the people of Dallas have been laboring to secure recognition of this project and appropriations for it. They gave \$66,000 of their own money at one time, when the river and harbor bill required it. They have expended thirty or forty thousand dollars of their own money buying sites for locks and dams. They have expended many thousands of dollars securing the land necessary for wharves. They have issued bonds to provide a sewage-disposal plant that was made necessary because of the effort to make this river navigable. They have issued bonds to the extent of \$700,000 therefor, and yet my friend indulges in the statement that the only interest people in Dallas have is to get these appropriations to be spent in that section of Texas.

Mr. CALLAWAY. Mr. Chairman, will the gentleman yield?

Mr. BEALL of Texas. Yes.

Mr. CALLAWAY. Fort Worth has issued bonds to take care of its sewage.

Mr. BEALL of Texas. Yes; but you have no other means of disposing of it.

Mr. CALLAWAY. We can turn it into the Trinity River.

Mr. BEALL of Texas. But you are on the dry fork of the Trinity, while we are on the river. Your city undertook it because the legislature of the State of Texas passed a law compelling you to do it, and prohibiting you from emptying your sewage into the Trinity River, while the people of Dallas undertook it years ago in order to aid this undertaking in which they have proven their faith. They have spent hundreds of thousands of dollars in addition to that in building new bridges across the river so as not to interfere with and obstruct navigation.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BEALL of Texas. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Texas asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. BEALL of Texas. The Government has appropriated something like \$2,000,000, but for every dollar that the Government has appropriated the people of Dallas, the people who, according to my colleague, have no faith in the project and no interest except to secure Federal appropriations, have expended or have assumed obligations for an equal amount.

I will not go into the question as to the freight situation down there. It has been referred to many times before and in connection with other items in this bill. It is a desperate effort of the people in central Texas to find some avenue of escape, to find some means of relieving themselves of a situation that is an intolerable situation, a situation that handicaps them, a situation that impedes their progress and their prosperity, and yet, in spite of all this, my friend, who represents the district containing a city that is the rival of Dallas, says that it is an unworthy project; that the people there have no faith in it; that

they ridicule it; and yet for every dollar that the Government has put into it the people of Dallas, because of the fact that they were interested in making this river navigable, have contributed or assumed obligations for an equal amount.

Now, Mr. Chairman, ever since I have been here people have been trying to poke fun at the Trinity River. In most instances it was because they did not know anything about it; because they did not appreciate our situation. If we had in Texas a bigger and better river than the Trinity, of course, that would be the one we would want improved. We have not, and we are compelled to accept the situation as it is.

We are sorry, far more sorry than you are, that there has been a question or that there could be a question about the water supply of the Trinity River. There is no question except with reference to section 1, from Dallas down to the junction with the East Fork, a distance of 50 miles. The Government undertook the project knowing that there was some question about the water supply in section 1. Mr. BURTON, who was then chairman of the Committee on Rivers and Harbors, knew the condition, knew that in certain seasons the flow of water in the river was small, and yet because of the situation in that great agricultural section he decided that the effort to canalize Trinity River should be made.

Gentlemen poke fun at it and say they began the improvement at the head of the river instead of at the mouth. They did. Congress transferred the appropriation that had been made for the lower section of the river to the upper, because it was recognized that if the first 50 miles could be canalized and made navigable there was no question about the balance of the river, and the struggle has been to try to complete the canalization of the first 50 miles of the river. We have a lock and dam at White Rock Shoals, another at Hurricane Shoals, two places on the lower stretches of the river where there are obstructions, because it was reasoned if we could canalize the first 50 miles and then have locks and dams at places where there are obstructions, that during a large part of every year, dry years, wet years, all kinds of years, we would have a navigable river for from 6 to 10 months of the year depending upon the varying rainfall. You take the Ohio and other rivers of the North and East; they are sometimes affected by low water, but almost every year they are frozen over for months in the winter, and this condition obstructs navigation just as surely and just as effectually as any condition of low water would affect the navigation of the Trinity River. It does not make any difference what the cause is that interferes with navigation; if it is interfered with, the result is just the same.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BEALL of Texas. Mr. Chairman, I am ashamed to take five minutes more. It is so rare that I ask for time of the committee that I want to ask its indulgence while this item is up.

The CHAIRMAN. Does the gentleman ask unanimous consent for five minutes more?

Mr. BEALL of Texas. I do.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. BEALL of Texas. Now, with all of these locks and dams in section 1 authorized, and with all but two constructed or approaching completion, we thought it was not unreasonable to hope for an appropriation in this bill sufficient to begin the construction of these two which would complete the improvement of section 1. When that is completed we believe the project will be a success. If it should not be, we will grieve far more than you, because it will mean the disappointment of the hopes of so many people who have been looking for and praying for some kind of relief.

Gentlemen have not succeeded during the past 10 years in driving the Trinity River out of court by attempting to ridicule it. They will not in the future. It is a recognized Government project, and the improvement of it is going on. My successor and the other Representatives from Texas interested will see to it that in the next river and harbor bill there will be an adequate appropriation for the Trinity River.

Trinity River has served one purpose at least. It has given certain gentlemen an opportunity to indulge in many witticisms that otherwise might have been denied them. I hope that in the future, if witticisms are indulged in, they will be new ones. I want to tell you now that some of the old ones are getting stale. They have talked about the boring of artesian wells up at the head of the river. That has done duty for 10 or 12 years. It should be barred by limitation in the future. They have talked about macadamizing it, and gentlemen have grown hilarious over the suggestion. We have heard that down in Texas until it has gotten old, too. And

then they have proposed to insure it against fire. [Laughter.] And then they have advised that the bed of it should be used for the right of way for a railroad running from Dallas down to the Gulf. My colleague [Mr. CALLAWAY] claims to have waded it many times. All these statements have been very funny, but the improvement of the river has gone steadily on, and it will go on. In my opinion gentlemen will not be able to defeat this undertaking by ridicule, because the men upon this committee know more about the situation than the would-be funny men who attempt to indulge in humor at the expense of that project that means so much to that section of Texas.

I thank you. [Applause.]

Mr. SUMNERS. Mr. Chairman, in order that I may not be precluded, I want to ask unanimous consent that before this item is passed—I understand the motion for the committee to rise is about to be made—I be given an opportunity to speak to it for 10 minutes. I shall not ask for that privilege now. I understand that the House wants to adjourn, but I do ask before the item is passed that I be allowed that privilege.

The CHAIRMAN. Whenever the gentleman desires to make that request the Chair will put it. The Clerk will read.

The Clerk read as follows:

Cypress Bayou, Tex. and La.: For maintenance, \$2,500.

Mr. SUMNERS. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Texas desire to make any request now?

Mr. SUMNERS. I do not want to interfere with the committee.

Mr. SPARKMAN. I would suggest to the gentleman that he might speak to the next item when we reach it. I was about to move to rise.

Mr. MANN. Let the first Arkansas item be read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Ouachita River, Ark. and La.: For maintenance of improvement by open-channel work up to Camden, \$25,000.

Mr. SPARKMAN. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

The committee accordingly rose; and the Speaker having resumed the chair, Mr. RAINEY, Chairman of the Committee of the Whole House on the state of the Union, reported that the committee had had under consideration the bill (H. R. 20189) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, and had come to no resolution thereon.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ASHBROOK, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bills and joint resolution:

H. R. 6060. An act to regulate the immigration of aliens to and the residence of aliens in the United States;

H. R. 5195. An act for the relief of the Atlantic Canning Co.; and

H. J. Res. 234. Joint resolution directing the selection of a site for the erection of a statue in Washington, D. C., to the memory of the late Maj. Gen. George Gordon Meade.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted as follows:

To Mr. BOWBLE, for three days, so as to deliver an address at Cincinnati.

To Mr. TALBOTT of Maryland, indefinitely, on account of sickness.

To Mr. O'SHAUNESSY, for two weeks, on account of illness.

EXTENSION OF REMARKS.

Mr. GOODWIN of Arkansas. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the Red River.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to extend his remarks in the RECORD on the subject of the Red River. Is there objection?

There was no objection.

Mr. HUMPHREY of Washington. Mr. Speaker, I ask unanimous consent to extend my remarks on the income-tax section of the present tariff law.

The SPEAKER. The gentleman from Washington asks unanimous consent to extend in the RECORD some remarks on the income-tax of the present tariff law. Is there objection?

There was no objection.

—
 HOUR OF MEETING NEXT TUESDAY.

Mr. UNDERWOOD. Mr. Speaker, I ask unanimous consent that when the House adjourns on Monday next it adjourn to meet at 11 o'clock on the following Tuesday. On account of the approaching end of this session, I think it is necessary to drive these bills, although I recognize it is entirely proper for gentlemen who are interested in them to have a reasonable opportunity to state the wishes of their constituents and to voice such criticism as they desire against a bill on the floor. I realize also that if these bills are not pushed from now on it may jeopardize their passage, and I therefore hope that when the House meets on Tuesday it will try to stay in session until this bill is passed.

The SPEAKER. The gentleman from Alabama [Mr. UNDERWOOD] asks unanimous consent that when the House adjourns next Monday it adjourn to meet at 11 o'clock a. m. on Tuesday. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. SPARKMAN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 20 minutes p. m.) the House adjourned until Monday, January 18, 1915, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. Letter from the Secretary of the Treasury, submitting an estimate of appropriation which has been approved by the President in the sum of \$50,000, to extend to the Governments of Central and South America an invitation to send representatives to a conference with the Secretary of the Treasury, in the city of Washington, and representative bankers of the United States, with a view to establishing closer and more satisfactory financial relations between their countries and the United States (H. Doc. No. 1493); to the Committee on Appropriations and ordered to be printed.

2. Letter from the Secretary of War, submitting answers to questions propounded in House resolution No. 698, adopted by the House of Representatives on January 14, 1915 (H. Doc. No. 1492); to the Committee on Military Affairs and ordered to be printed.

3. Letter from the assistant clerk Court of Claims, transmitting a certified copy of the findings of fact in the case of Sarah F. Tronwith, executrix of C. F. Simpson, deceased, v. The United States (H. Doc. No. 1494); to the Committee on War Claims and ordered to be printed.

4. Letter from the assistant clerk Court of Claims, transmitting certified copy of the findings of fact in the case of John M. Seigle, widower of Caroline Seigle, v. The United States (H. Doc. No. 1495); to the Committee on War Claims and ordered to be printed.

5. Letter from the assistant clerk Court of Claims, transmitting certified copy of the findings of fact and conclusion in the case of the trustees of Liberty Springs Missionary Baptist Church, of Stewart County, Tenn., v. The United States (H. Doc. No. 1496); to the Committee on War Claims and ordered to be printed.

6. Letter from the assistant clerk Court of Claims, transmitting certified copy of findings of fact and conclusion in the case of James H. Trimble, son of James H. Trimble, deceased, v. The United States (H. Doc. No. 1497); to the Committee on War Claims and ordered to be printed.

7. Letter from the assistant clerk Court of Claims, transmitting certified copy of the findings of fact and conclusion in the case of Maude Taylor, daughter of John C. Taylor, deceased, v. The United States (H. Doc. No. 1498); to the Committee on War Claims and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. YOUNG of Texas, from the Committee on Agriculture, to which was referred the bill (S. 2278) granting the El Paso & Rock Island Railway Co. a right of way for its pipe lines and reservoir upon the Lincoln National Forest for the carrying and storage of water for railroad purposes, reported the same with amendment, accompanied by a report (No. 1288), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. WALTERS, from the Committee on the District of Columbia, to which was referred the bill (H. R. 18383) to provide better sanitary conditions in composing rooms within the District of Columbia, reported the same with amendment, accompanied by a report (No. 1289) which said bill and report were referred to the House Calendar.

Mr. MOON, from the Committee on the Post Office and Post Roads, to which was referred the bill (S. 1701) to admit legislative journals of State and Territorial legislatures to the mails as second-class mail matter, reported the same without amendment, accompanied by a report (No. 1290), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 20804) for the relief of William P. Nason, and the same was referred to the Committee on Military Affairs.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. PADGETT: A bill (H. R. 20975) making appropriations for the naval service for the fiscal year ending June 30, 1916, and for other purposes; to the Committee of the Whole House on the state of the Union.

By Mr. RAKER: A bill (H. R. 20976) to prohibit the coming of Asiatic laborers into the United States, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. KENT: A bill (H. R. 20977) to provide for the establishment of a life-saving station in the vicinity of Duxbury Reef, Cal.; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAMTON: A bill (H. R. 20978) authorizing the Secretary of the Treasury to make refund in certain cases of sums of money paid in settlement of income-tax penalties in excess of existing regulations; to the Committee on Ways and Means.

By Mr. STEPHENS of California: A bill (H. R. 20979) relating to experts, their appointment by the court or a judge thereof, and providing for their compensation and manner of examination as witnesses; to the Committee on the Judiciary.

By Mr. CONNOLLY of Iowa: A bill (H. R. 20980) to enlarge, extend, remodel, and modernize the post-office building at Waterloo, Iowa; to the Committee on Public Buildings and Grounds.

By Mr. ADAMSON: A bill (H. R. 21005) to prevent, prohibit, and punish frauds and cheating and swindling in interstate and foreign commerce; to the Committee on Interstate and Foreign Commerce.

By Mr. BLACKMON: Joint resolution (H. J. Res. 403) to authorize the Secretary of War to grant permission to the Southern Commercial Congress to place a tablet at Gamboa, Canal Zone, as a memorial to the late Senator John T. Morgan; to the Committee on Interstate and Foreign Commerce.

By Mr. LOBECK: Joint resolution (H. J. Res. 404) authorizing an embargo on commerce under certain conditions; to the Committee on Foreign Affairs.

By Mr. MURRAY: Resolution (H. Res. 704) referring the bill (H. R. 20890) for the relief of the Iowa Indians of Oklahoma to the Court of Claims for a finding of fact and conclusions of law; to the Committee on Indian Affairs.

By Mr. J. M. C. SMITH: Memorial of the Legislature of the State of Michigan protesting against the seamen's bill; to the Committee on the Merchant Marine and Fisheries.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR: A bill (H. R. 20981) granting an increase of pension to Thomas J. Cartwright; to the Committee on Invalid Pensions.

By Mr. BROUSSARD: A bill (H. R. 20982) for the relief of Elodie Dejoie; to the Committee on War Claims.

By Mr. BRUCKNER: A bill (H. R. 20983) granting an increase of pension to Joseph Zeimer; to the Committee on Invalid Pensions.

By Mr. CAMPBELL: A bill (H. R. 20984) granting an increase of pension to Samuel Ratchiff; to the Committee on Invalid Pensions.

By Mr. CARY: A bill (H. R. 20985) granting an increase of pension to James S. Case; to the Committee on Pensions.

By Mr. CONNOLLY of Iowa: A bill (H. R. 20986) granting a pension to George Critzman; to the Committee on Pensions.

Also, a bill (H. R. 20987) granting a pension to John G. Powers; to the Committee on Invalid Pensions.

Also, a bill (H. R. 20988) for the relief of Henry H. Stevenson; to the Committee on Claims.

By Mr. COX: A bill (H. R. 20989) granting a pension to John Pennington; to the Committee on Invalid Pensions.

By Mr. GOULDEN: A bill (H. R. 20990) granting a pension to George M. Griffith; to the Committee on Pensions.

By Mr. GRIFFIN: A bill (H. R. 20991) granting a pension to James Daly; to the Committee on Invalid Pensions.

By Mr. HAMILTON of New York: A bill (H. R. 20992) granting an increase of pension to Samuel Massey; to the Committee on Invalid Pensions.

By Mr. HINDS: A bill (H. R. 20993) granting a pension to Clara J. Sherburne; to the Committee on Pensions.

By Mr. KETTNER: A bill (H. R. 20994) granting an increase of pension to George R. Smith; to the Committee on Pensions.

By Mr. LENROOT: A bill (H. R. 20995) granting an increase of pension to Jordon J. McCann; to the Committee on Invalid Pensions.

By Mr. LESHER: A bill (H. R. 20996) granting an increase of pension to William Raup; to the Committee on Pensions.

By Mr. MOSS of West Virginia: A bill (H. R. 20997) granting an increase of pension to Oscar Hoce; to the Committee on Invalid Pensions.

By Mr. NEELY of West Virginia: A bill (H. R. 20998) granting an increase of pension to Lydia Ann Hagan; to the Committee on Invalid Pensions.

By Mr. SMITH of Maryland: A bill (H. R. 20999) granting a pension to Marian Eva Keyes; to the Committee on Pensions.

By Mr. SMITH of Minnesota: A bill (H. R. 21000) granting a pension to Imogene P. Ingersoll; to the Committee on Invalid Pensions.

By Mr. THOMAS: A bill (H. R. 21001) granting a pension to Elizabeth Wilson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 21002) granting an increase of pension to James M. Silvey; to the Committee on Invalid Pensions.

By Mr. TRIBBLE: A bill (H. R. 21003) granting a pension to William A. Abney; to the Committee on Pensions.

By Mr. WILLIAMS: A bill (H. R. 21004) granting an increase of pension to John W. Gahan; to the Committee on Pensions.

By Mr. OLDFIELD: A bill (H. R. 21006) granting an increase of pension to Margaret McHenry; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of citizens of Washington, Mo., favoring bill prohibiting export of arms; to the Committee on Foreign Affairs.

Also, petition of St. Anthony's Young Men's Society, Hermann, Mo., favoring bill prohibiting export of arms; to the Committee on Foreign Affairs.

Also, petition of Retail Grocers' Protective Association, of St. Charles, Mo., favoring House resolution 5308, to tax mail-order houses; to the Committee on Ways and Means.

By Mr. BAILEY: Memorial of Johnstown (Pa.) Turn-Verein, favoring passage of House joint resolution 377; to the Committee on Foreign Affairs.

Also, petition of M. N. McGeary, of Johnstown, Pa., protesting against amendment to the Post Office appropriation bill relative to the freedom of the press, etc.; to the Committee on the Post Office and Post Roads.

Also, petition of D. M. Bare & Co., J. P. Martin, John B. Miller, S. H. & W. J. Garber, and George W. Snyder, all of Roaring Spring, Pa., for the passage of House bill 5308, a bill providing for the taxation of mail-order houses for local purposes; to the Committee on Ways and Means.

By Mr. BARTHOLOTT: Petitions of Maryland Citizens' Committee, of Baltimore, Md.; Concord Farmers' Club, of Afton, Mo.; German-American League and United Irish Societies of San Francisco, Cal.; V. J. Welcome, of Brawley, Cal.; M. M. Vust, of Ellsworth, Minn.; mass meeting of 15,000 citizens of St. Louis, Mo.; Kaiser Club, of Jacksonville, Fla.; E. M. Kauth & Co. and E. D. Fisher Commission Co., of Sioux Falls, S. Dak.; 75 citizens of St. Louis, Mo.; Henry Heil Chemical Co. and G. R. C. Benevolent Society, of St. Louis, Mo.; German Evangelical Protestant Church of Pittsburgh, Pa.; 52 citizens of St. Louis, Mo.; Karl Hoffmann and Herman Kabitz, of South Bend, Ind.; F. J. Kuestenmacher and W. B. Dunn, of Boston,

Mass.; H. P. Holler, of Washington, D. C.; G. M. Hirsch, of Portland, Oreg.; Fair Play League, of Newark, N. J.; Wilbur Hyde, of Sioux Falls, S. Dak.; F. B. Lohmeyer and J. V. Jenkins, of New York City; L. A. Plass, of Brooklyn, N. Y.; Reinhold Liebau, of Eau Claire, Wis.; John L. Harris, of Kelso, Wash.; J. E. Engstad and O. E. Naegle, of Minneapolis, Minn.; Prof. L. Fuerbringer, German Roman Catholic Central Verein, and F. Pfeiffer, of St. Louis, Mo.; J. L. Taylor & Co., American Chamber of Commerce, and Francis Taresch, of New York City.; C. A. Helmert, of Pittsburgh, Pa.; H. F. Wagner Insurance Co., of Minneapolis, Minn.; German-American Stadtverband, of Holyoke, Mass.; George Skuette, Manitowoc, Wis.; German-American National Association, of Denison, Tex.; Citizens' State Bank of Onaga, Kans.; H. H. Kern, of Banner Springs, Kans.; Christian Irion, St. Louis, Mo., and Carl S. von Logan, of Mount Vernon, N. Y., in favor of the bill to prohibit the manufacture and sale of arms and munitions of war to the belligerent nations of Europe; to the Committee on Foreign Affairs.

By Mr. BORCHERS: Petition of citizens of Champaign, Ill., protesting against export of munitions of war by the United States; to the Committee on Foreign Affairs.

By Mr. BROUSSARD: Papers to accompany bill for relief of Elodie Dejele; to the Committee on War Claims.

By Mr. DILLON: Petition of citizens of Parkston and Dimock, S. Dak., favoring the passage of House joint resolution 377, relative to shipment of war materials; to the Committee on Foreign Affairs.

By Mr. DRISCOLL: Petition of citizens of New York, against violation of neutrality; to the Committee on Foreign Affairs.

By Mr. EAGAN: Memorial of consistory of the German Evangelical Church, of North Bergen, N. J., relative to the violation of the spirit of neutrality in the United States; to the Committee on Foreign Affairs.

By Mr. ESCH: Petition signed by H. Brandt and 217 other citizens of Neillsville, Wis., urging enactment of legislation to prohibit the exportation of munitions of war from the United States; to the Committee on Foreign Affairs.

Also, papers in support of H. R. 20914, granting an increase of pension to Robert L. Ferguson; to the Committee on Invalid Pensions.

Also, petition signed by H. Burmester and 41 other citizens of La Valle, Wis., urging passage of legislation prohibiting the exportation of munitions of war from the United States; to the Committee on Foreign Affairs.

Also, petition signed by Rev. G. A. Westerhaus and 38 other citizens of Elroy, Wis., urging legislation to prohibit the exportation of munitions of war from the United States; to the Committee on Foreign Affairs.

By Mr. GOEKE: Petition of Lima (Ohio) Branch of the German Alliance, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. GRAHAM of Pennsylvania: Petition of Manufacturers' Club of Philadelphia, favoring an amendment to the present tariff laws; to the Committee on Ways and Means.

By Mr. HAMILTON of New York: Papers to accompany House bill 20789, granting an increase of pension to Thomas Covell; to the Committee on Invalid Pensions.

By Mr. KETTNER: Memorial of citizens of Orange, Cal., favoring passage of House joint resolution 377, relative to shipment of munitions of war; to the Committee on Foreign Affairs.

By Mr. KIESS of Pennsylvania: Papers to accompany House bill 2704, for the relief of William C. Taylor; to the Committee on Invalid Pensions.

By Mr. LONERGAN: Protest of Branch 1088 of Polish National Alliance, Thompsonville, Conn., in re Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

By Mr. MAGUIRE of Nebraska: Petition of 50 citizens of Lincoln, Nebr., favoring passage of Senate bill 6683 and House bill 19548, relative to prohibiting selling of munitions of war, etc.; to the Committee on Foreign Affairs.

By Mr. MAPES: Memorial of Schiller Tent 171, of Macca-bees, Grand Rapids, Mich., asking for the passage of House joint resolution 377; to the Committee on Foreign Affairs.

By Mr. MOORE: Memorial of Branch No. 3, National Association of Civil Service Employees, of Philadelphia, Pa., urging the passage of the civil-service retirement bill, H. R. 5139; to the Committee on Reform in the Civil Service.

By Mr. MORIN: Petition of citizens of Pittsburgh, Pa., favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

By Mr. NEELY of West Virginia: Papers filed in support of bill (H. R. 20998) for the relief of Lydia Ann Hagan; to the Committee on Invalid Pensions.

By Mr. RAKER: Petition by citizens of Red Bluff, Cal., favoring the enactment of House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

Also, petition of citizens of Baltimore, Md., against export of arms; to the Committee on Foreign Affairs.

Also, petition of John J. Freschi, president, and Dominic A. Irotta, secretary, of the Union League of Italian-Americans of United States, against Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of Louis M. Cole, president, and Frank Wiggins, secretary, Chamber of Commerce, Los Angeles, Cal., favoring support by United States Government of the widow of Gen. A. R. Chaffee; to the Committee on Pensions.

By Mr. REILLY of Connecticut: Petition of William I. Barber, secretary of the Hartford (Conn.) Business Men's Association, against House joint resolution 372, to provide for a national security commission; to the Committee on Rules.

By Mr. SELDOMRIDGE: Petition of citizens of Colorado, favoring House joint resolution 377, to forbid export of arms; to the Committee on Foreign Affairs.

Also, petition of city council of Colorado Springs, Colo., favoring Hamill civil-service retirement bill; to the Committee on Reform in the Civil Service.

By Mr. SMITH of Minnesota: Petition of citizens of Minneapolis, Minn., urging the passage of House joint resolution 377, forbidding exportation of munitions of war; to the Committee on Foreign Affairs.

By Mr. TALCOTT of New York: Petition of members of St. Michael's Society, of Rome, N. Y., protesting against the passage of the Smith-Burnett immigration bill; to the Committee on Immigration and Naturalization.

Also, petition of citizens of the thirty-third congressional district of New York, protesting against violations of neutrality; to the Committee on Foreign Affairs.

By Mr. VOLLMER: Petition of 1,170 American citizens, favoring adoption of House joint resolution 377, prohibiting the export of war materials; to the Committee on Foreign Affairs.

SENATE.

MONDAY, January 18, 1915.

(Legislative day of Friday, January 15, 1915.)

The Senate reassembled at 11 o'clock a. m., on the expiration of the recess.

DISTRICT OF COLUMBIA APPROPRIATIONS.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 19422) making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1916, and for other purposes.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Brady	Gallinger	Norris	Smoot
Brandagee	Hardwick	Overman	Sterling
Bryan	Hollis	Page	Stone
Burleigh	James	Perkins	Thomas
Burton	Johnson	Pomerene	Thornton
Catron	Jones	Reed	Tillman
Chamberlain	Kern	Robinson	Vardaman
Clapp	La Follette	Saulsbury	Walsh
Clark, Wyo.	Lane	Sheppard	Warren
Colt	Lea, Tenn.	Shively	White
Culberson	Lippitt	Smith, Ariz.	Works
Cummins	Martin, Va.	Smith, Ga.	
Dillingham	Martine, N. J.	Smith, Md.	
Fletcher	Myers	Smith, Mich.	

Mr. ROBINSON. I was requested to announce that the Senator from Arizona [Mr. ASHURST] and the Senator from Oklahoma [Mr. OWEN] are unavoidably detained from the Chamber on business of the Senate. This announcement may stand for the day.

The VICE PRESIDENT. Fifty-three Senators have answered to the roll call. There is a quorum present. The Chair lays before the Senate certain petitions from the Wesley Chapel Methodist Episcopal Church, the First United Presbyterian Church, and the Petworth Baptist Church, of this city, praying for the prohibition of the liquor traffic in the District of Columbia. The petitions will be properly noted in the Journal.

Mr. THOMAS. Mr. President, I ask unanimous consent to have printed in the Record, without reading, a letter from Dr.

Charles M. Emmons in reply to certain correspondence which was put into the Record by the Senator from New Hampshire [Mr. GALLINGER] a few days ago relating to the site for the Eastern High School.

The VICE PRESIDENT. Without objection, it is so ordered. The matter referred to is as follows:

EAST WASHINGTON CITIZENS' ASSOCIATION,
Washington, D. C., January 16, 1915.

HON. C. S. THOMAS,
United States Senate, Washington, D. C.

MY DEAR SENATOR: In view of the personal interest you manifested in the debate on the floor of the Senate in the matter of the selected site for the Eastern High School, I deem it but just to yourself, as well as important to the subject matter, to make brief reply to some statements contained in and inferences that might be drawn from the letters of Henry P. Blair and John B. Larnier, appearing on page 1610 of the CONGRESSIONAL RECORD of yesterday's proceedings.

By referring to the assessment books of the District of Columbia it will be found the Washington Loan & Trust Co., as trustee for the Equitable Building Association, of this city, controls lot 8 and part of lot 7 in square 1108, and also, as executor of the estate of J. Sprigg Poole, controls lots 40 and 41 in square 1095. These lots are all included within the boundaries of the proposed purchase.

The city directory shows that Mr. John B. Larnier is vice president and general counsel of the said Washington Loan & Trust Co. and is also a director in the said Equitable Building Association. These two corporations are very closely connected, as is shown by the fact that Mr. John Joy Edson is president of both.

These two corporations with which Mr. Larnier is connected necessarily have a fiduciary interest in the sale of these properties to the District of Columbia. As to the hearing before the board of education, mentioned in Mr. Blair's letter, I will state that the present proposed site had not been then selected. We appeared before the board of education to urge the selection of reservation No. 13. As a matter of fact, no public hearing whatsoever has been granted or had by the board of education or by the District Commissioners with reference to the purchase of this proposed site and the closing of the public streets.

Sincerely, yours,

CHARLES M. EMMONS, M. D.,
President East Washington Citizens' Association.

The VICE PRESIDENT. The question is on agreeing to the report of the Committee on Rules.

Mr. JONES. Mr. President, I have one letter here that I received this morning, which I wish to have read. I simply desire to say that I have received a great many letters this morning along the same line, but this letter sets out the facts so clearly and succinctly that I ask that it be read. I am glad to know that this man is working for a great company and is not afraid to express his sentiments in regard to this question; that he is not afraid the company will call him to task for so doing.

The VICE PRESIDENT. Is there objection? The Chair hears none, and the Secretary will read as requested.

The Secretary read as follows:

256 NINTH STREET NE.,
January 17, 1915.

Senator JONES.

MY DEAR SIR: Your effort to clear the curse of the saloon from our Capital City meets with my approval. Trust that you may clear the corner Eleventh and C Streets NE., so that a lady may feel safe to pass that corner at night. I see no reason for such business to be placed in the eyes of so many homes and children. The nine years we have owned our home at Ninth and C Streets NE., our lady friends who were alone making calls always left early at night, stating they were afraid to pass this saloon after dark. The colored people seem to be the greater number around this saloon. We have two clean sons, 22 and 24 years, and would like to keep them so. Without the saloon I will feel more sure. You won't have time to read all such lengthy letters, but trust mine may help the cause.

Very truly, yours,

WILLIAM A. PIERSON,
Passenger Conductor, Pennsylvania Railroad.

Mr. SHEPPARD. I have a brief editorial here from the Commoner on this subject which I would be glad to have read.

Mr. STONE. I should like to ask if it is the same editorial the Senator from Washington [Mr. JONES] put in the Record on Saturday?

Mr. SHEPPARD. It is not.

Mr. JONES. I desire to say that the Senator from Washington put in no editorial from the Commoner.

The VICE PRESIDENT. Is there objection? The Chair hears none. The Secretary will read as requested.

The Secretary read as follows:

NATIONAL PROHIBITION IN CONGRESS.

In the last issue of the Commoner I expressed the opinion that this was not an opportune time to propose a national prohibition amendment, not because of any objection to the principle involved—I stated I would vote for the amendment if submitted—but because the submission of such an amendment at this time would divert attention from other issues pressing for consideration without advancing the cause of prohibition.

On another page will be found the vote upon the amendment. It will be seen that while it lacked the two-thirds necessary to pass such a resolution, it received a majority of eight—a striking proof of the growing tide against the liquor business.

While the brewers and distillers are congratulating themselves that the prohibition forces could not secure a two-thirds majority, they are looking with blanched faces and trembling hearts upon the declaration, solemnly made on roll call, that a clear majority of the people's Representatives in Congress are arrayed against rum selling.

As it only requires a majority to pass laws, the liquor interests see in the vote on the amendment the beginning of the end of their suprem-